



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 37]

शिमला, शनिवार, 17 जून, 1989/27 ज्येष्ठ, 1911

[संख्या 24

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17 जून, 1989/27 ज्येष्ठ, 1911 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियाँ 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या एल. एस. जी.-डी (1) 3/84, दिनांक 15 मार्च, 1989.	स्थानीय स्वशासन, विभाग	मोजा कुठेड़ा, हरबस्त संख्या 85, तहसील अम्ब, जिला कला के करियर खसरा नम्बरात को अधिसूचित क्षेत्र अम्ब में सम्मिलित करने का प्रस्ताव, इसके प्राधिकृत अंग्रेजी रूपान्तर सहित।
संख्या एस. टी. बी. (टी. ई.) बी (2) 4/85-ii, दिनांक 15 अक्टूबर, 1987.	तकनीकी शिक्षा, व्यावसायिक एवं शौद्योगिक प्रशिक्षण विभाग	हिमाचल प्रदेश तकनीकी शिक्षा, व्यावसायिक एवं शौद्योगिक प्रशिक्षण विभाग हिन्दी शाश्वतिपक्ष अनुदेशक वर्ग-III अराजपत्रित पद के भर्ती एवं प्रोन्नति नियम, 1987, इसके प्राधिकृत अंग्रेजी रूपान्तर सहित।
—	—यथैव—	हिमाचल प्रदेश तकनीकी शिक्षा, व्यावसायिक एवं शौद्योगिक प्रशिक्षण विभाग तकनीकी सहायक वर्ग-III अराजपत्रित पद के भर्ती एवं प्रोन्नति नियम, 1987, इसके प्राधिकृत अंग्रेजी रूपान्तर सहित।
—	—यथैव—	हिमाचल प्रदेश तकनीकी शिक्षा, व्यावसायिक एवं शौद्योगिक प्रशिक्षण विभाग रेखांकित अध्यापक वर्ग-III अराजपत्रित पद के भर्ती एवं प्रोन्नति नियम, 1987, इसके प्राधिकृत अंग्रेजी रूपान्तर सहित।
—	—यथैव—	हिमाचल प्रदेश तकनीकी शिक्षा, व्यावसायिक एवं शौद्योगिक प्रशिक्षण विभाग रेखांकित अध्यापक वर्ग-III अराजपत्रित पद के भर्ती एवं प्रोन्नति नियम, 1987, इसके प्राधिकृत अंग्रेजी रूपान्तर सहित।

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रवेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यावृत्ति

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Shimla-1, the 26th September, 1987

No. HHC/GAZ/14-19/75-II-12554.—The Hon'ble the Chief Justice and Judges are pleased to order cancellation of 4 days earned leave w.e.f. 4-8-1987 to 7-8-1987 granted in favour of Shri M.R. Verma, the then District and Sessions Judge, Mandi, presently Registrar, High Court of Himachal Pradesh, Shimla *vide* notification of even number dated 23-7-1987 as Shri Verma resumed his duties w.e.f. 4th August, 1987 (F.N.) curtailing his leave.

Shimla-1, the 26th September, 1987

No. HHC/GAZ/3-17/71-12585.—The Hon'ble the Chief Justice is pleased to sanction five days earned leave with effect from 5-10-1987 to 9-10-1987 with permission to prefix Sunday and Dussehra holidays falling on and w.e.f. 27-9-1987 to 4-10-1987 and to suffix Second Saturday and Sunday falling on 10-10-1987 and 11-10-1987 in favour of Shri G.D. Sehgal, Special Secretary to Hon'ble the Chief Justice.

Certified that Shri G.D. Sehgal is likely to join the same post and at the same station from where he proceeds on leave, after the expiry of the above period of leave.

Certified further that Shri G.D. Sehgal would have continued to officiate as Special Secretary to Hon'ble the Chief Justice but for his proceeding on leave for the above period.

By order,
Sd/-
Deputy Registrar (Admn.)

Shimla-1, the 26th September, 1987

No. HHC/Adm. 6(24)/74-I-12694.—In exercise of the powers vested in them under sub-section (2) and (3) of Section 11 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) and all other powers enabling them in this behalf, the Hon'ble the Chief Justice and Judges are pleased to appoint and confer the powers of Judicial Magistrate 1st Class upon the following Judicial Magistrates 2nd Class, to be exercised by them within the local limits of the Districts noted against the name of each:—

Sl. No.	Name of the Officers	Area/District
1.	Sh. Manoj Kumar Bansal	Kangra district
2.	Kumari Amita Ghai	Shimla district
3.	Sh. A.K. Sharma	Una district
4.	Sh. Rajan Gupta	Bilaspur district
5.	Sh. Thakur Sain Kaisth	Mandi district
6.	Sh. Rattan Singh	Chamba district
7.	Sh. Jai Narayan	Sirmaur district

By order,
Sd/-
Registrar.

Shimla-1, the 15th October, 1987

No. HHC/GAZ/14-136/82-12990.—The Hon'ble the Chief Justice and Judges are pleased to accord *ex-post-facto* sanction to the grant of 13 days earned leave w.e.f. 14-9-1987 to 26-9-1987 with permission to prefix 12th and 13th September, 1987 being Second Saturday and Sunday and suffix Dussehra holidays falling on 27-9-1987 to 4-10-1987, in favour of Shri J.C. Sood, Sub-Judge-cum-Judicial Magistrate 1st Class, Hamirpur.

Certified that Shri J.C. Sood has joined the same post and at the same station from where he proceeded to avail the leave for the above period.

Also certified that Shri J.C. Sood would have continued to hold the post of Sub-Judge-cum-Judicial Magistrate 1st Class, Hamirpur, but for his proceeding on leave for the above period.

Shimla-1, the 15th September, 1987

No. HHC/GAZ/14-112/81-12984.—The Hon'ble the Chief Justice and Judges are pleased to accord *ex-post-facto* sanction to the grant of one day's earned leave for 24-8-1987 and 11 days commuted leave w.e.f. 25-8-1987 to 4-9-1987 with permission to prefix Sunday on 23-8-1987 and suffix Second Saturday and Sunday falling on 5th and 6th September, 1987, in favour of Shri S.S. Ahuja District and Sessions Judge, Hamirpur.

Certified that Shri S.S. Ahuja has joined the same post and at the same station from where he proceeded to avail the leave for the above period.

Also certified that Shri S.S. Ahuja would have continued to hold the post of District and Sessions Judge, but for his proceeding on leave for the above period.

By order,
Sd/-
Deputy Registrar (Admn.)

हिमाचल प्रदेश सरकार
PERSONNEL (A-I) DEPARTMENT

NOTIFICATION

Shimla-2, the 19th July, 1986

No. 1-15/73-DP-Appn.—In continuation of this Department's Notification of even number, dated the 16th July, 1986, the Governor, Himachal Pradesh is pleased to order that Shri Attar Singh, I.A.S., Financial Commissioner (Revenue), Himachal Pradesh shall also function as Financial Commissioner-cum-Secretary (P.W.D., IPH, LSG and Housing) to the Government of Himachal Pradesh in addition to his own duties with effect from 21-7-86 till Shri R. C. Gupta, I.A.S. joins.

By order,
P. K. MATTOO,
Chief Secretary.

AGRICULTURE DEPARTMENT

NOTIFICATIONS

Shimla-2, the 1st July, 1986

No. 23-8/73-Agr. Sectt.—Please read the dates as "22-3-86 to 21-3-87" instead of "23-3-86 to 21-3-87" appearing in the fifth line of this Department notification of even number, dated the 6th May, 1986 regarding extension of deputation period of Sh. G. D. Goyal, Executive Engineer, Himachal Pradesh Marketing Board.

[Shimla-2, the 1st July, 1986]

No. 23-14/71-Agr.—The Governor, Himachal Pradesh is pleased to cancel the transfer of Shri J.S. Kanwar, Deputy Director of Agriculture Hamirpur ordered *vide* this Department notification of even number, dated the 15th May, 1986.

Shimla-2, the 3rd July, 1986

No. Agr. B(3)-2/77.—In partial modification of this Department notification of even number, dated the 28th April, 1986, the Governor, Himachal Pradesh is pleased to post Shri O.K. Singh as Plant Protection Officer, Una against the vacant post.

By order,
B. C. NEGI,
Secretary

ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 27th June, 1986

No. Ahy-B(3)-15/86.—On the recommendations of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to appoint Dr. Pardeep Kumar Sharma as Vety. Assistant Surgeon Gazetted (Class-II) on regular basis in the pay scale Rs. 850-30-1000/40-1200/50-1400-60-1700 w.e.f. 24-1-86 (F.N.).

2. He will be on probation for two years.

Shimla-2, the 14th July, 1986

No. Ahy-B(3)-13/86.—On the recommendations of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to appoint Dr. Rajat Puri as Vety. Assistant Surgeon Gazetted (Class-II) on regular basis in the pay scale of Rs. 850-30-1000/40-1200/50-1400-60-1700 w.e.f. 31-1-86 (F.N.).

2. He will be on probation for two years.

Shimla-2, the 17th July, 1986

No. Pushupalan-Cha(6)-7/82.—In supersession of this Department Notification of even number, dated 8th January, 1985, the Governor, Himachal Pradesh is pleased to reconstitute an Evaluation Committee for determining and recommending the fixation of rates of various livestock and Animal Husbandry Products for every financial year as under:—

1. Commissioner-cum-Secretary (AH) to the Government of Himachal Pradesh
2. Deputy Secretary, Under Secretary (Animal Husbandry) to the Government of Himachal Pradesh
3. Deputy Secretary (Finance) to the Government of Himachal Pradesh
4. Director of Animal Husbandry or Jt. Director of Animal Husbandry, Himachal Pradesh
5. Deputy Director (Statistics) Animal Husbandry, Himachal Pradesh

Sd/-
Secretary.

.. Chairman

.. Member

.. Member

.. Member

.. Member
Secretary.By order,
B. C. NEGI,
Secretary.

Shimla-171002, the 21st July, 1986

No. Ahy-B(3)-17/86.—On the recommendations of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to appoint Dr. Raman Kumar Sojhi as Vety. Assistant Surgeon Gazetted (Class-II) on regular basis in the pay scale of Rs. 850-30-1000/40-1200/50-1400-60-1700 w.e.f. 28-1-86 (F.N.).

2. He will be on probation for two years.

Sd/-
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 1st June, 1989

No. FDS-B (2) (3)-3/78.—The Governor, Himachal Pradesh, is pleased to order that Shri Vyas Dev Sharma, District Food & Supplies Controller, Dharamshala, Himachal Pradesh shall retire from Government service on attaining the age of superannuation with effect from 30-4-1990 (A.N.).

Shimla-171002, the 1st June, 1989

No. FDS-B (2)-(4)-3/87.—The Governor, Himachal Pradesh, is pleased to order that Shri D. N. Bhanot, Superintendent Gr. I in the office of the Director, Food and Supplies, Shimla, Himachal Pradesh shall retire from Government service on attaining the age of superannuation with effect from 31-5-1990 (A.N.).

By order,
HARASH GUPTA,
Commissioner-cum-Secretary.

सिवाई एवं जन स्वास्थ्य विभाग

आधिकृतम्

शिमला-2, 1 जून, 1989

सं ० सिवाई-II-28/88.—यह: हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को मरकारी व्यय पर मार्वजनिक प्रयोगन हेतु नामतः गांव जंगल मशोबरा; तहसील व जिला शिमला में ढली सजीनी पेयजल योजना के निर्माण हेतु भूमि ली जानी अत्यावश्यक प्रयोगित है, अतः एवं एतद्वारा यह घोषित किया जाता है कि नीचे विवरणी में वर्णित मूलि उपयुक्त प्रयोगन के लिए प्रयोगित है।

2. यह घोषणा भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपचरणों के अधीन सभी सम्बन्धित व्यक्तियों को नृचना हेतु को जाती है तथा उक्त अधिनियम को धारा 7 के उपचरणों के अधीन भू-अर्जन समाहर्ता, हिमाचल प्रदेश लोक निर्माण विभाग, विण्टर फील्ड, शिमला-3 को उक्त भूमि के अर्जन करने के आदेश लेने का एतद्वारा निर्देश दिया जाता है।

3. इसके अतिरिक्त, उक्त अधिनियम की धारा 17 की उप-धारा (1) धारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल यह निरेश देते हैं कि अत्यावश्यक मामला होने के कारण भू-अर्जन समाहर्ता, हिमाचल प्रदेश लोक निर्माण विभाग, शिमला-3 उक्त अधिनियम की धारा 7 की उप-धारा (1) के अधीन नृचना के प्रकाशन से 15 दिन की अवधि के समाप्त होने पर पंचायत देने से दूर भूमि का कब्जा ले सकता है।

4. भूमि का रेखांक भू-अर्जन समाहर्ता, हिमाचल प्रदेश लोक निर्माण विभाग, विण्टर फील्ड, शिमला-3 के कार्यालय में निरीक्षण किया जा सकता है।

विवरणी

जिला : शिमला

तहसील : शिमला

गांव	खसरा संख्या	झेत्र
1	2	3 4
जंगल मशोबरा	44/28/1 50/28/1 48/26/1	0 1 0 3 0 1
कित्ता ..	3	0 5

शुद्धि-पत्र

मण्डी, 1 जून, 1989

संख्या पी० बी० डब्ल्यू (पी० एच०) II-2/88.—कृपया इस विभाग के पत्र सं ० पी० बी० डब्ल्यू (पी० एच०) II-2/88-मण्डी, दिनांक 17-5-1988 द्वारा जारी की गई गांव वेहा, तहसील सदर,

जिला मण्डी के लिए भू-अर्जन अधिनियम, 1894 की धारा-4 की अधिसूचना व समसच्चयक पत्र दिनांक 5-11-1988 द्वारा जारी को गई उक्त गांव के लिए भू-अर्जन अधिनियम, 1894 की धारा 6 व 7 की अधिसूचना में दर्शाये गए खसरा नम्बर 1169/1146/1140/1 तादादी रक्वा 2-0-15 बीघा जोकि गल्टी से अर्जन हुत दिखाया गया है को समाप्त समझा जाए व खसरा नम्बर 559/1 में उक्त अधिसूचनाओं में दर्शाये गए तादादी रक्वा

0-2-18 बीघा के स्थान पर 0-14-3 बीघा पढ़ा जाए तथा उक्त अधिसूचनाओं में दर्शाये गए कुल जोड़ कित्ता 34 तादादी रक्वा 26-13-2 बीघा के स्थान पर कित्ता 33 तादादी रक्वा 25-3-12 बीघा पढ़ा जाए।

प्रादेश द्वारा,
अ 0 कु 0 महोपात्र,
सचिव।

LABOUR DEPARTMENT

NOTIFICATION

Shimla-2, the 28th April, 1989

No. 19-9/87-Shram.—In exercise of the powers vested in him under Section 17 (1) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is pleased to publish the names of Presiding Officer, Labour Court/Industrial Tribunal, Himachal Pradesh, in the cases detailed below:

Sl.No.	Case No.	Name of the Parties	
1	2	3	
1.	71/86	Avdesh Singh versus M/s Pre-Stressed Concrete Poles, Parwanco	Sec. 10 (L.C.)
2.	340/85	S/Shri Param Dev, Yadav Singh versus Superintending Engineer, H.P. P.W.D.-I, Circle Mandi.	Sec. 10 (L.C.)
3.	15/87	Promil Kumar versus Management of H.R.T.C., Nahan	Sec. 10 (L.C.)
4.	473/86	Rajinder Kumar Conductor versus Management of H.R.T.C., Nahan	Sec. 10 (L.C.)
5.	193/87	Himalaya Fertilizers Workers Union versus Management	Sec. 10 (I.T.)
6.	37/86	Chamera Workers and Employees Union versus Management	Sec. 10 (L.C.)
7.	169/87	Smt. Sharda Devi versus M/s Pronto Steering Ltd., Parwanoo	Sec. 10 (L.C.)
8.	174/88	Surinder Kumar versus Conservator of Forests, Nahan, H.P.	Sec. 10 (L.C.)
9.	173/88	Balak Ram versus Conservator of Forests, Nahan	Sec. 10 (L.C.)
10.	19/87	Nirmal Singh versus M/s Gammon India Ltd., Kafnoo	Sec. 10 (L.C.)
11.	20/87	Sudama Ram versus M/s Nahan Foundry Ltd., Nahan	Sec. 10 (L.C.)
12.	8/88	Ashok Kumar versus M/s Nahan Foundry Ltd., Nahan	Sec. 10 (L.C.)
13.	649/85	Pushpinder Singh, ex-Clerk versus Management of D.A.V. College, Daulatpur Chowk, Una.	Sec. 10 (L.C.)
14.	119/88	Chet Ram versus M/s Gammon India Ltd, Kafnoo, (ii) The Chief Engineer, Sanjay Vidyut Pariyojna, Sungia & (iii) Secy., H.P.S.L.E., Shimla.	Sec. 33-A (L.C.)
15.	33/89	Jagdish Chand vs. -do-	Sec. 33-A (L.C.)
16.	34/89	Pritam Chand vs. -do-	Sec. 33-A (L.C.)
17.	35/89	Kishori Lal versus M/s Gammon India Ltd., Kafnoo, (ii) The Chief Engineer, Sanjay Vidyut Pariyojna, Sungia, (iii) Secretary, H.P. S.F.B., Shimla.	Sec. 33-A (L.C.)
18.	36/89	Beli Ram versus -do-	Sec. 33-A (L.C.)
19.	37/89	Roshan Lal vs. -do-	Sec. 33-A (L.C.)

By order,
G. S. CHAMBIAL,
Commissioner-cum-Secretary.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court/
Industrial Tribunal, Himachal Pradesh, Shimla

Case No. 71/86

Avdesh Singh

..Petitioner.

Versus

M/s Pre-Stressed Concrete Poles, Parwanco, District Solan, Himachal Pradesh .. Respondent.

Shri A. K. Sharma, Authorised Representative of the petitioner.

Shri Rattan Lal Kaith, Authorised Representative of the respondent.

AWARD

The services of the petitioner were terminated by the respondent management, the Himachal Pradesh State Small Industries and Export Corporation Ltd., Shimla on 22-7-1981. Earlier dispute was raised by the petitioner and award was given by this Court on 24-4-1983 when the termination of services of the petitioner was held

unjustified. The petitioner, who was re-instated was then served with a charge sheet and after holding some sort of domestic enquiry, petitioner has been dismissed from service w.e.f. 11-9-1984. Petitioner has again raised dispute against his dismissal and Himachal Pradesh Government has made the present reference to determine the legality of the orders passed by the respondent management.

2. During the pendency of the present reference, the parties have arrived at a settlement out of court. Respondent management has agreed to treat the period between termination/dismissal and re-instatement as continuity of service. Petitioner has accepted this offer and has agreed to join on or before 7th February, 1989 at Parwanoo. In these circumstances, the reference is answered accordingly and the dispute stands settled in terms of the settlement.

Seal.

S. S. AHUJA,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.
30-1-1989

Before Shri S.S. Ahuja, Presiding Officer, Labour Court,
Himachal Pradesh

Case No. 340 of 1985

S/Shri Param Dev Yadav Singh, Hot Mixer Plant
Operator, H.P.P.W.D. 1st Circle, Mandi, H.P.

.. Petitioner.

Versus

Superintending Engineer, H.P.P.W.D. 1st Circle,
Mandi, Himachal Pradesh .. Respondent.

Shri P. L. Baly, Authorised Representative for the
Petitioners

Shri M. L. Chaudhary, Authorised Representative for
the Respondent.

AWARD

On the dispute having been raised, the Government of Himachal Pradesh in exercise of the powers under section 12 (5) read with Section 10 of the Industrial Disputes Act, 1947 made the following reference to the Industrial Tribunal on 24-5-1985:—

"Whether the selection on work-charged basis of Hot Mixer Plant Operators other than S/Param Dev and Yadav Singh and not providing the posts of work-charged to these workers, is justified. If not, what relief and compensation S/Shri Param Dev and Yadav Singh are entitled to."

2. The petitioners submitted their statement of claim and pleaded that they were employed as Hot Mixer Plant Operators since January/October, 1981 on daily wages. As per the rules and conventions prevalent in the Department, daily rated employees were regularised on work charged basis during the course of their employment. However, in the month of February, 1984, the Department called for interview some persons for filling up work-charged posts of Hot Mixer Plant Operator with a view to manipulate and favour some persons in order to ignore the deserving persons. Petitioners reluctantly joined the process of interview on 23-2-1984 and the result of interview was declared on 27-2-1984 and on the following day S/Shri Tek Chand and Puran Parkash were issued appointment letters. The petitioners challenged the selections of said S/Shri Tek Chand and Puran Parkash as the same is against the convention and rules and the selected persons had no knowledge about operating machines for which they were selected whether the petitioners had experience of three years at the time of selection. It was also claimed that the petitioner Yadav Singh was I.T.I trained fitter and the selected candidates were not having any such certificate. It was further claimed that the petitioner Param Dev is a Scheduled Caste and he had submitted the requisite certificate in this respect and one post was required to be filled in from Scheduled Caste candidates. The selection committee, however, ignored the petitioner Param Dev although he is Scheduled Caste. According to petitioner, selection committee had already made up their mind and the interview was only a drama to regularise their illegal action. The petitioners claim that they be declared to have been appointed on the work-charged post instead of daily wages w.e.f. 28-2-1984. The respondents in their reply admitted that petitioners Param Dev and Yadav Singh were employed as operators during the year 1981, 1982 and 1983 and the particulars of their services for the relevant period were annexed as Annexure A and B with the reply. According to them the petitioners were not working as Operators throughout the year and were discharging different type of duties as detailed in Annexure A and B. The respondent further pleaded that the daily rated employees, who are sponsored through Employment Exchange, are made work-charged during the course of their employment and as the petitioners were not sponsored through Employment Exchange at the time of their initial appointment as such they could not be

automatically appointed against the work-charged posts. The respondent also claimed that only workers performing work on the maintenance and supervisory posts i.e. the specific period from June, 1974 to May, 1979 with 240 days working per year are employed on work-charged basis. The petitioners were not falling in this category. so open interview for these sanctioned vacancies were held in accordance with the rules and all eligible persons including the petitioners were given opportunity to qualify. The respondent denied any favour to the selected persons S/Shri Tek Chand and Puran Parkash and claimed the selection was purely on the basis of merit. In the replication, petitioner had re-iterated the facts earlier mentioned in the statement of claim.

3. Initially preliminary issue regarding jurisdiction of Tribunal to entertain the reference was raised by my Ld. Predecessor on 4-9-1985. However, Government of Himachal Pradesh by its notification dated 28-8-1985 had amended the original notification of reference and substituted the word "Industrial Tribunal" by "Labour Court" and preliminary issue had become redundant and then these issues were framed on merit by my Ld. Predecessor on 6-10-1985:—

1. Whether the selection on work-charge basis of Hot Mixer Plant Operators other than the petitioners is justified ? (OPR)

2. Relief.

FINDINGS

4. The burden to prove Issue No. 1 is on the respondent and Authorised Representative for the Respondent has only tendered in evidence documents Ex. R-1 to Ex. R-6 on 5-1-1986 and closed the evidence. One of the petitioner Yadav Singh who appeared as PW-2 has deposed that he was working in the H.P.P.W.D. since 1981, initially as helper and then as Operator on the Hot Mixer Plant. He has also deposed that Hot Mixer Plant was not in operation during winter and rainy seasons and during that period he was required to work as fitter in H.P.P.W.D. workshop. He claimed that being daily rated workers, he was to be regularised without being sponsored by the Employment Exchange and claimed that the selection of other two workers Tek Chand and Puran Parkash is not *bona fide* and also claimed that he is a I.T.I. trainee and under matric and belongs to Low Income Family and all the certificates were shown to the Selection Committee and certificates are Ex.P-1 to Ex.F-4. He has also deposed that Tek Chand and Puran Parkash were never operated the Hot Mixer Plant. Even after selection they could not operate the plant, which was being operated by them. One Amer Chand Thakur, Office Secretary of Him Shakti Karamchand Singh has appeared as PW-1 and he was claimed that he is working as Electrician in the H.P.P.W.D. workshop, Mandi where petitioners were employed as Hot Mixer Plant Operators on the daily rated basis and all daily rated workmen are entitled for being absorbed on regular basis by the H.P.P.W.D. since 1980. According to him the petitioners were required to be regularised as work-charged against the post of Hot Mixer Operators. He has also claimed that one of the selected candidates, Puran Parkash he is since died and out of the two posts, one was reserved for Scheduled Caste. The petitioners in fact has examined official witnesses, Shri T.L. Sharma, Superintending Engineer PW-3 is the appointing authority of the Hot Mixer Plant Operators and he has deposed that he had appointed the Selection Committee by the order dated 18-2-1984 Ex.R-1 and minimum qualification have been detailed in Ex. R-5. He has also proved the result of the interview Ex. R-2. Initially he had denied that the daily rated workers with more than five years of service were regularised and he then admitted this fact. He has further deposed that the rule of regularisation does not cover all categories. He had admitted that he was not present at the time of interview but has accepted the recommendations of the Selection Committee. Shri K.M. Tiwari J.W-4 is an Assistant Engineer and was the member of the Selection Committee, and he has deposed that all candidates

present were interviewed and their certificates were seen and they were duly awarded marks. The candidates were required to operate the Hot Mixer Plant at the time of interview. Shri S.M. Bhardwaj, PW-5 Superintending Engineer was also the member of the Selection Committee as he was the Executive Engineer Manager, Division No. 2 at the time of the selection. He has participated in the proceedings of the Selection Committee. He has also deposed that the practical test was taken and the candidates were required to operate Hot Mixer Plant. He has denied that the Selection Committee was constituted with a view to select Puran Parkash and Tek Chand over the head of the petitioners. Lastly Shri S.K. Vaidya, Superintending Engineer PW-6 has appeared, who has claimed that no weightage was required to be given to the candidates who were I.T.I. trained. He has deposed that the candidates who were working on daily wages, were given weightage of their experience. He has also deposed that the experience certificate given by reputed private firms were also considered. He had denied any favour to the selected candidates at the behest of any high up. He has however, admitted that Param Dev petitioner is the Scheduled Caste candidate.

5. After the arguments were concluded, the case was adjourned for announcement of award. While going through the record, it was noticed by me that one of the selected candidates Shri Tek Chand was not fulfilling the requisite experience of 2 to 3 years in operating Hot Mixer Plant and as such Respondent was directed to produce record in this behalf. AR. of the respondent has filed documents Ex-R-6 showing that Tek Chand was employed as beldar w.e.f. 1-1-1983 till 31-3-1983 and as Assistant Operator w.e.f. 1-7-1983 till February, 1984. As per the notification of vacancies, to the Employment Exchanges, Ex-R-5, the essential qualification including at least 2 to 3 years of experience in operating Hot Mixer Plant and as per the details of the interview marks Ex-R-2 against the column No. 8, Tek Chand has been shown to be working as Operator of Hot Mixer Plant in H.P. P.W.D. but the document Ex-R-6 falsified the version of the respondent. Thus Tek Chand was not qualified for the post as he was not having any practical experience of 2 to 3 years as required by notification Ex. R-5. The respondent has conveniently designated, Tek Chand as Assistant Operator having been employed from 1-7-1984 to 2-10-1984 without disclosing whether he was employed to operate the Hot Mixer Plant. The experience required was 2 to 3 years as Operator with Hot Mixer Plant and not as Assistant Operator with any other machine for the period of eight months. Tek Chand did not fulfil the minimum qualification for being considered for appointment as Operator and his selection is illegal.

6. The petitioners have failed to prove that they were to be regularised on work-charged basis as their own official witnesses have claimed that for the post of operator the instructions did not require automatic regularisation. As such the selection made cannot be set aside on this ground. However Puran Prakash, who had three years of experience in Bharat Construction Company, who was duly selected and appointed as Operator had since died as is evident from the statement of PW-1 Shri Amer Singh. It will not be out of place to mention the fact that these were two posts of Operators notified and in accordance with the instructions issued by the Department of Personal and Administrative Reforms, New Delhi dated 20-2-1977, it is evident that practice of reservation for Scheduled Caste and Scheduled Tribe is to be applied to work-charged posts and also on the basis of the model roster, the first post is reserved for Scheduled Caste and second post is treated as unreserved. Then in the present case, the first post was to be treated as reserved and Param Dev petitioner, who had duly qualified as per result of the interview Ex-R-2, was entitled to be appointed as operator against reserved post for scheduled caste. Puran Parkash having been selected on merit is to be considered to have been appointed against the second post which was meant for un-reserved candidates. Taking it from any angle, the selection of Tek Chand is illegal and this issue is answered accordingly.

RELIEF

In view of the aforesaid discussions, selection of Tek Chand is invalid as the said post was reserved for Scheduled caste and also he was not having requisite experience for appointment as operator with the result

that Param Dev, Petitioner is ordered to be appointed as Operator to Hot Mixer Plant with effect from 28-2-1984. The petitioner Yadav Singh, who had also duly qualified, is ordered to be appointed as Operator against the vacancy caused by death of Puran Parkash. The petitioners are entitled to all the consequential benefits in accordance with law from the date of their appointment.

Announced to-day the 23rd February, 1989 in the presence of the Authorised Representatives of the parties.

S. S. AHUJA,
Presiding Officer,
Labour Court Shimla.
23-2-1989.

BEFORE SHRI P. S. AHUJA, PRESIDING OFFICER, LABOUR COURT OF HIMACHAL PRADESH

Case No. 15 of 1987

Promil Kumar s/o Shri Sadhu Ram c/o Labour Commissioner, Himachal Pradesh Shimla-2. Petitioner.

Versus

Regional Manager Himachal Pradesh Road Transport Corporation Nahan, District Sirmour . . . Respondent.

Shri Promil Kumar Petitioner in person.

Shri Ranbir Singh, AR for the respondent.

AWARD

The petitioner who was employed with the Himachal Road Transport Corporation and whose services were terminated and he raised dispute against termination of his services and the present reference has been made by H.P. Government in exercise of powers under section 12 (5) of the Industrial Disputes Act, 1947 on 19-1-1987.

2. The petitioner submitted the statement of claim and maintained that he joined as Cleaner-cum-Conductor in the Himachal Government Transport Department in 1972 and his services were transferred to Himachal Road Transport Corporation in 1974 and he continued to serve the Corporation till 1976 when his services were terminated. The petitioner has also averred that at the time of termination of his services, he had completed 240 days in continuous service and the termination is without holding any sort of enquiry and without serving any show-cause notice on him which is violative of section 25-FF of the Industrial Disputes Act, 1947 and the termination amounts to retrenchment in view of Section 2(00) of the Industrial Disputes Act, 1947. He has also claimed that he had preferred numerous representations/appeals to the concerned authorities, but no satisfactory reply was received and in the year 1982 the petitioner made representation to the Hon'ble Transport Minister with a copy to Hon'ble Governor of Himachal Pradesh. From the reply received from the Governor Secretariat, dated 14-5-1982, it was revealed that his appeal has been sent to Secretary Transport, but the Corporation has failed to take any action. The petitioner has also maintained that many other persons who were terminated after the petitioner have been since appointed by the respondent Corporation and the action of the Corporation is violative of section 25H of the Industrial Disputes Act, 1947. On this pleading, the petitioner has sought re-instatement in service from due date with incidental benefits.

3. The respondent Himachal Pradesh Road Transport Corporation through its Regional Manager has submitted reply and denied that the petitioner had joined as Cleaner-cum-Conductor in Himachal Government Transport Department in 1972, rather the petitioner was engaged as Cleaner-cum-Conductor with effect from 12-8-1975 as casual worker on day-to-day basis. As his services were terminated on 13-12-1976 as per agreement of service between the Himachal Road Transport Corporation and the employee, the action is thus legal. The respondent has also denied the violation

of section 25FF of the Industrial Disputes Act, 1947 as according to Respondent there is no retrenchment in terms of section 2(00) (bb) (The Respondent has omitted to mention (00). The relevant clause will be discussed in detail subsequently). The respondent management denies about the representations/appeals preferred by the petitioner excepting the appeal preferred by him in 1982 to Hon'ble Transport Minister. According to them his appeal was considered and rejected by the Competent Authority and he was informed accordingly. The respondent has also averred that the petitioner is not entitled to any reference after 10-11 years and he is guilty of laches and sitting over for so many years. Thus the respondent has maintained that the services of the petitioner were terminated as per agreement of service and said agreement is not arbitrary or violative of the provisions of the Industrial Dispute Act, 1947 and has requested for not re-opening the case after lapse of such a long period.

4. On the pleadings of the parties, my Ld. Predecessor had framed the following issues on 17-5-1987:—

1. Whether the termination of the services of the petitioner is valid and in accordance with the provisions of the law and the rule. If not to what relief and compensation the Petitioner is entitled to? (OPR)
2. Relief.

ISSUE NO. 1

5. The respondent management has only tendered in evidence three documents i.e. appointment letter dated 26-8-1975, Ex-R-1, Termination order dated 30-12-1976, Ex-R-2 and communication dated 22-2-1983, whereby the petitioner was informed of the dismissal of his appeal. Ex.R-3. As far as the petitioner is concerned, he has appeared as his own witness as PW-1 and his statement is very short and brief. He has deposed that he has joined as Conductor in the year, 1972 and his services were terminated in the year, 1976 without any reasons and no charge-sheet has served on him and no enquiry was initiated against him and he was not afforded any opportunity. He was not paid any retrenchment compensation. In cross-examination he has stated that he had not brought the appointment letter and he cannot contradict the statement that he joined the Respondent Corporation as Conductor in the year, 1975. He admits that he joined respondent management after he received the appointment letter No. other ocular or documentary evidence has been adduced by the parties.

6. The counsel for the petitioner has urged that the termination of the services of the petitioner is in contravention of Section 25F of the Industrial Disputes Act, 1947 as the petitioner has not been given one month's notice in writing indicating the reasons for retrenchment and he has not been paid compensation at the time of retrenchment. He has also argued that Section 2(00)(bb) was enforced with effect from 18-8-1984 and as such the plea of the respondent that services of the petitioner have been terminated in accordance with the contract between the parties cannot be looked into as at the time of alleged termination aforesaid provisions were not in existence. He has frankly conceded the delay in raising the dispute, but has claimed that such delay will only disentitle the petitioner of the back wages. On the other hand Counsel for the respondent management has maintained that there is no question of retrenchment in view of section 2(00) (bb) and the petitioner was not entitled to any notice or compensation in terms of section 25F of the industrial Disputes Act, 1947. He has also urged that the reference should fail on the point of limitation.

7. The contention between the parties boils down to the effect whether the termination of the services of the petitioner is retrenchment, within section 2(00) (bb) and if it is retrenchment, what is the effect of non-compliance of conditions laid down in section 25F of the Industrial Disputes Act, 1947. As far as the question for delay is concerned, practically no evidence has been adduced by the parties and there is nothing on the record to show

when dispute was raised by the petitioner, the respondent only placed on record documents Ex.R-3 which is latter dated 22-2-1983 to the petitioner, whereby he has been informed that his representation dated nil has been considered and rejected by the Competent Authority as informed by Assistant General Manager *vide* his Memo. dated 22-10-1982. It is not clear when such an appeal was filed and the communication regarding the dismissal of appeal was sent in February, 1983. The present reference was made on 19-1-1987 by the Himachal Pradesh Government and there is every possibility that the Petitioner raised the present dispute which eventually resulted in the reference under section 12(S) of the Industrial Disputes Act, 1947. The respondent Road Transport Corporation is a public authority and it is neither proper nor desirable that the technical plea of limitation should be raised by such public authority in view of the law laid down by the Hon'ble High Court of Himachal Pradesh in case *Mangal Chand v. The Forest Department* reported in *Indian Law Reports (Himachal Series)* 1984-page 259. It has been held there-in:—

*"The Act has been enacted by the Parliament to provide for the payment of compensation by certain classes of employers including the State to their workmen or their dependents for injury or death, as the case may be, by accident caused under certain circumstances. It is surprising that when it comes to the implementation of such a beneficent law, the State another its limits should try to defeat a claim not on merits but on technical pleas such as limitation. It is legitimate to hope that bearing in mind the injunction of the Supreme Court in *T. Trustees Bombay Port v. Premier Automobiles*, AIR 1974 SC 923, public authorities would desist from raising such pleas in future in appropriate cases like the present irrespective of the margin of delay."*

(Emphasis supplied).

8. To appreciate the rival contention of the Counsels for the parties, it is necessary to notice the relevant provisions i.e. section 25F and section 2(00) (bb) of the Industrial Disputes Act, 1947 which are reproduced as under:—

25F. Conditions precedent to retrenchment of workman.—No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent of fifteen days' average pay* (for every completed year of continuous service) or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate Government, (or such authority as may be specified by the appropriate Government by notification in the official Gazette).

xx xx xx xx xx

2(00): "retrenchment" means the terminating by the employer of the service of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

- (a) voluntary retirement of the workman; or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or

Versus

Management Himachal Pradesh Road Transport Corporation, Nahan, District Sirmaur, Himachal Pradesh
.. Respondent.

Shri A.K. Gupta, Advocate for the Petitioner.
Shri R. S. Chaudhary, Advocate for the Respondent.

AWARD

The petitioner, a conductor, who claimed extra remuneration for performance of duties as Checker, raised dispute in which following reference was received on 6-12-1986:

"Whether Shri Rajinder Kumar, Conductor, Himachal Road Transport Corporation, Nahan is entitled for extra remuneration for the scale of Checker from the year, 1973 onwards as a result of performance of duties of Checker. If so to what relief Shri Rajinder Kumar is entitled to."

Notice were issued to the parties and statement of claim was filed by the Petitioner, who maintained that he joined as Store Helper in Himachal Pradesh Transport Department in the year, 1968 and subsequently promoted as conductor in the pay scale of Rs. 110-175 (since revised to Rs. 400—600 with effect from 1-1-1978). According to Petitioner since 1973 he was assigned the checking duty which he continued to perform till 1985. He maintained that the duty of checking was not the part of the duties of the applicant conductor and such duties were performed by the Inspectors, who are in the pay scale of Rs. 510-880. The applicant on this plea has claimed that he be given equal pay for equal work for the period from 1973 to 1985 for performing the duties of checking as Inspector.

1. The Respondent Management in its reply has admitted that the Petitioner was appointed as Checker on 12-10-1972. It has been pleaded that the Petitioner was deployed on checking duties in spells and the posts of checker existed in the same scale of pay as with same avenues of promotion as those of conductors. They have also pleaded that the duties and responsibility of Inspectors are entirely different as is evident from Roaster Ex. R.1. and Ex. R.2. According to them, Petitioner is working as a conductor and his name appeared on Serial No. 307 in the seniority list and he cannot be directly promoted as Inspector above his senior colleagues.

3. On the pleadings of the parties, the following issues were framed by my Ld. Predecessor on 28-6-1987.

1. Whether the petitioner has performed the duties as a Checker during the period 1973 to 1985 and as such is entitled to get the emoluments as the Checker (OPP).
2. To what amount the petitioner is entitled to recover? (OPP).
3. Relief.

ISSUE NO. 1

4. Only petitioner Shri Rajinder Kumar has asserted as his own witness and he has deposed in his examination-in-chief that the Checkers and Conductors during the relevant period were getting the same pay scale. Respondent Management on the other hand had examined Shri Jati Ram, RW-1 who has tendered in evidence the documents Ex. R-1 to Ex. R-3. The reference requires to determine if petitioner is entitled to extra remuneration for the pay scale of Checker for the year 1973 onwards, as a result of performance of duties as Checker. In view of the admission of the Petitioner that pay scale of Conductor and Checker was same, there is hardly anything which required determination by this Court. The petitioner has pleaded the case much beyond the reference. He is claiming the pay scale which is being payable to the Inspectors. In fact, there is no such reference and as per the reference the petitioner could claim remuneration for the scale of checker but the pay scale of the Conductor and Checker is the same. The Petitioner is not entitled to any other emoluments except the emoluments which were paid to him. This issue as such is decided against the Petitioner.

RELIEF

Admittedly petitioner has not been served with any notice as required under section 25F nor he's been paid compensation, which is evident from the termination order Ex.R-2. In view of this I have no hesitation in holding that the termination of services of the petitioner is not justified and the issue is decided accordingly against the respondent Management.

RELIEF

11. In view of the findings on issue No. 1, the order of termination of the Petitioner dated 30-12-1976 is set-aside as illegal. The result is that the petitioner is deemed to be in service in terms of his appointment letter dated 26-8-1975. However, he will not be entitled to any wages from 31-12-1976 till the date of announcement of award. In view of long delay on the part of the petitioner to seek appropriate remedy at the earliest, as the petitioner has failed to bring on record the date for initiating the present dispute for reference. The petitioner is being allowed wages from the date of the award. The petitioner will be regularised as per the Instructions/Rules prevalent in the Himachal Road Transport Corporation and will be entitled to other benefits in conformity with law.

Announced to day the 30th January, 1989 in the presence of the Petitioner and Authorised Representative of the Respondent.

S. S. AHUJA,
Presiding Officer,
Labour Court, Himachal Pradesh.

30-1-1989.

Before Shri S. S. Ahuja, Presiding Officer Labour Court Himachal Pradesh

Shri Rajinder Kumar Conductor c/o Management of Himachal Road Transport Corporation, Nahan.
.. Petitioner.

ISSUE NO. 2

None for the parties.

5. In view of my findings on Issue No. 1, Petitioner is not entitled to recover any money from the Respondent Corporation.

ISSUE NO. 3

6. In view of my findings on issue No. 1 and 2 the Petitioner is not entitled to any extra remuneration. The parties are left to bear their own costs.

Sd/-
Announced : 09-01-1989.
(S.S.AHUJA),
Presiding Officer,
Labour Court Camp Nahan.

Before Shri S.S. Ahuja, Presiding Officer, Industrial Tribunal, Himachal Pradesh

Case No. 193/87

Himalaya Fertilizer Workers' Union ..Petitioner.

Versus

Management of Himalays Fertilizers, Ltd, Majholi, Nalagarh, District Solan, Himachal Pradesh ..Respondents.

None for the petitioners.

Shri S. K. Kaushik, Authorised Representative of the respondent.

AWARD

Case awaited till 3.30 P.M. for the absence of the petitioners or their authorised representative, the proceedings are dropped and the case is dismissed in default.

Sd/-
(S.S. AHUJA),
Presiding Officer.
Industrial Tribunal Himachal Pradesh Shimla.
26-12-1988.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court, Himachal Pradesh Shimla.

Case No. 37/86

General Secretary, Chamera Workers' and Employees' Union, Banikhet .. Petitioner.

Versus

Management of Hydro-Electric Project, Dalhousie, District Chamba, Himachal Pradesh .. Respondent.

None for the petitioners.

Shri V. K. Gupta and D. S. Chauhan, authorised representative of the respondent.

AWARD

No-body is present for the petitioner to-day. It is 1.25 P.M. The case has been called so many times. Hence the proceedings are dropped.

Sd/-
(S.S. AHUJA),
Presiding Officer.
Labour Court, Himachal Pradesh,
Camp Nurpur 16-2-1989.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court, Himachal Pradesh

Case No. 169/87

Smt. Sharda Devi .. Petitioner.

Versus

M/s Pronto Steerings, Ltd, Parwanoo, District Solan, H.P. .. Respondent.

AWARD

Numerous efforts have been made to serve the petitioner as the summons have been received unreserved Address of the petitioner has been mentioned as Smt. Sharda Devi w/o Shri Balwinder Singh c/o Labour Commissioner, Himachal Pradesh. The Labour Department has conveyed its inability to serve the petitioner on this address. In view of these facts, it is not possible to serve the petitioner. In view of this, the reference cannot be answered in the absence of the petitioner. As such the proceedings are dropped and the reference is answered accordingly.

Seal.

Sd/-
(S. S. AHUJA),
Presiding Officer,
Labour Court, Himachal Pradesh.
Camp Solan, 17-3-1989.

Before Shri S. S. Ahuja, Presiding Officer, Labour Court, Himachal Pradesh

Case No. 174/88

Surinder Kumar

.. Petitioner.

Versus

Conservator of Forests, Nahan, Himachal Pradesh .. Respondent.

None for the parties.

AWARD

Registered A.D. sent to the petitioner in January, 1989 has not been received back and presumed to be served. Petitioner despite service has failed to appear. As such the proceedings are dropped and dismissed in default and the reference is answered accordingly.

Seal.

Sd/-
(S. S. AHUJA),
Presiding Officer,
Labour Court, Himachal Pradesh,
Camp Nahan 28-3-1989.

Before Shri S.S. Ahuja, Presiding Officer Labour Court, Himachal Pradesh

Case No. 173/88

Balak Ram

Petitioner.

Versus

Conservator of Forests, Nahan Himachal Pradesh .. Respondent.

None for the parties.

AWARD

Registered A.D.s sent to petitioner in January, 1989 has not been received back and presumed to be served. Petitioner despite service has failed to appear. As such the proceedings are dropped and dismissed in default and the reference is answered accordingly.

Seal.

Sd/-
(S. S. AHUJA),
Presiding Officer,
Labour Court, H.P. 28-3-1989
Camp Nahan.

Before Shri S. S. Ahuja, Presiding Officer, Labour Court,
Himachal Pradesh

Case No. 19/87

Nirmal Singh

..Petitioner.

Versus

M/s Gammon India, Ltd., Kafnoo, District Kinnaur
Himachal Pradesh ..Respondents.

None for the parties.

AWARD

This case has been awaited till 12.45 P.M. Nobody is present for the parties. Hence dismissed in default for the non-appearance of the parties. The proceedings are dropped. Reference is answered accordingly.

S. S. AHUJA,
Presiding Officer.
Labour Court, 17-11-1988,
Camp R-Peo.

Before Shri S. S. Ahuja, Presiding Officer, Labour Court
Himachal Pradesh

Case No. 20/87

Sudama Ram

..Petitioner.

Versus

M/s Gammon India, Ltd. Kafnoo, District Kinnaur
(Himachal Pradesh) ..Respondents.

None for the parties

AWARD

This case has been awaited till 12.40 P.M. Nobody is present for the parties. Hence dismissed in default for the non-appearance of the parties. The proceedings are dropped. Reference is answered accordingly.

S. S. AHUJA,
Presiding Officer,
Labour Court 17-11-1988,
Camp R-Peo.

Before Shri S. S. Ahuja, Presiding Officer, Labour Court,
Himachal Pradesh

Case No. 8/88

Ashok Kumar

..Petitioner.

Versus

M/s Nahan Foundary, Nahan (Himachal Pradesh).
..Respondents.

None for the petitioner

Shri R.N. Mehta, Authorised Representative of the respondent.

AWARD

It is reported that the petitioner had expired. So far, the legal representative has not filed any application. This case is consigned as adjourned *sine die*. It will be revived if an application is filed by the legal representative of the petitioners.

S. S. AHUJA,
Presiding Officer,
Labour Court 29-9-1988,
Camp Nahan.

Before Shri S. S. Ahuja, Presiding Officer, Labour Court,
Himachal Pradesh

Case No. 949 of 1985

Shri Pushpinder Singh, Ex-Clerk, D.A.V. College,
Daulatpur Chowk, Una, Himachal Pradesh
..Petitioner.

Versus

Management of M/s D.A.V. College, Daulatpur
Chowk, Una, District Una ..Respondent.

Present.—Shri P.L. Berry, Authorised Representative
of the Petitioner.

Shri R.L. Gupta Authorised Representative
of the Respondent.

AWARD

On the termination of services of Petitioner who was working as Clerk of the Respondent College, the petitioner raised dispute and the matter was referred to this Court by the Government of Himachal Pradesh *vide* its notification dated 27-9-1985 purporting to be in exercise of the powers under section 12 (5) read with section 10 of the Industrial Disputes Act, 1947.

2. Petitioner filed his statement of claim and averred that he was appointed as Clerk by the Management of D.A.V. College Daulatpur Chowk, District Una, Himachal Pradesh on probation for six months *w.e.f.* 12-3-1984 against the regular post after due selection by the Committee. According to the Petitioner, his services were illegally terminated on 8-8-1984 without any notice. Petitioner asserted the order of termination has been passed in view of enmity harboured by the management against his father Capt. Dev Raj, who functioned as President of the Respondent College for many years. Petitioner has sought re-instatement without any break in service and payment of full and final dues.

3. The respondent management in their written statement has given their version and the facts in nutshell and according to them the Petitioner was appointed by the Ex-General Secretary of the Managing Committee by letter dated 10-3-1984 and said Secretary had no authority to appoint the Petitioner. It has also been mentioned that the New President of the Committee was elected but the approval was given by the Himachal Pradesh University to the election of the New Managing Committee on 2-5-1984. During the intervening period the Father of the petitioner, who was earlier President and whose tenure has expired, after the fresh elections, was restrained from interfering with the affairs of the Institution by the University and communication was sent to him by the Registrar, Himachal Pradesh University on 25-3-1983. According to Respondent, appointment of Petitioner as Clerk was a result of nepotism and favouritism. It has further been averred that the Institution was already over-staffed and the post was neither advertised nor applications were called for from the Employment Exchanges and the services of the Petitioner were terminated as his work was not satisfactory and his services were no longer required in view of the over-staffing.

4. On the basis of the pleadings of the parties, the following issues were framed by my Ld. Predecessor, on 13-1-1986:—

1. "Whether the termination of the services of Shri Pushpinder Singh by the management of D.A.V. College, Daulatpur Chowk, Una is justified and is in order?" (OPR)
2. "Whether the Petitioner is a workman and the dispute between the parties is an Industrial dispute?" (OPP)
3. Relief.

5. The parties were allowed to adduce evidence and on the application preferred by Petitioner, he was allowed to adduce additional evidence by my Ld. Predecessor on

dated 26-8-1987. After he examined Shri Sandhya Dass PW-4, the respondents were given opportunity to lead evidence in rebuttal, but they have not adduced any further evidence. I have heard the Authorised Representative for the parties and have perused the record.

6. For the reasons recorded hereinafter the aforesaid issues are answered as under:-

Issue No. 1 ... Yes.

Issue No. 2 ... Not pressed.

Issue No. 3. ... Petitioner not entitled to any relief.

FINDINGS ON ISSUE NO. 1

7. At the outset, it is noticed that the Respondent Management which had disputed the appointment of Petitioner and had assailed the authority of General Secretary to issue letter of appointment, has not pressed the irregularities in such appointment at the time of arguments. However, it has been maintained by the management that as the services of the petitioner were no more required as there was over-staffing and the work of the petitioner was not found satisfactory during probation period, the services of Petitioner were as such terminated. On the other hand, Authorised representative of the Petitioner has mentioned that the termination is a result of vindictiveness and letter concerning the staffing pattern was received by the Respondent College much after the termination of the services of the petitioner and as such the order of the Respondent is illegal and unjustified.

8. Petitioner, Shri Pushpinder Singh has appeared as his own witness as PW-1 and he has deposed that he was appointed as Clerk on 12-5-1983 (There appears to be a mistake as he was appointed in March, 1984) on probation of six months *vide* letter Ex. P-1 and his services were terminated on 8-8-1984 *vide* letter Ex. P-2. He has also deposed that the termination is on account of malice and illwill of the new Managing Committee against his father. Petitioner has also stated that he was offered Rs. 1411.25 paise *vide* letter Ex. P-3 on his termination, but he refused to accept it and conveyed his refusal Ex. P-4, which was sent by registered post and the acknowledgement receipt is Ex.P-5. Petitioner has also examined Col. J.C. Kanwar PW-2, who was General Secretary of the outgoing Managing Committee and Shri Kanwar had issued letter of appointment to the Petitioner and has deposed that Petitioner was selected by the Selection Committee. Another witness examined by the Petitioner is Shri V.D. Sharma, PW-3 who is Principal of D.A.V. College, Daulatpur-chowk, Una and who has deposed that he had reported against the working of the Petitioner to the Managing Committee and the work of the Petitioner was not satisfactory. In cross-examination he has proved letter Ex. R-2 which is the communication issued by the Himachal Pradesh University to Capt. Dev Raj Father of the Petitioner who was restrained from interfering in the affairs of the College by the said communication dated 25-3-1983 and the communication was duly endorsed to the Principal and to the New elected President and the Bank authorities. Shri Sandhya Dass PW-4 has mentioned that the Staffing pattern for employment of College staff has been prescribed by the Secretary, Himachal Pradesh and the communication in this regard is Ex. R-5. He has denied the correctness of the documents relied upon by the Petitioner Mark 'X' regarding the staffing pattern and has deposed that the letter Ex. R-5, pertaining to the staffing pattern was brought by the President himself and no direct communication has been received from the Director of Education.

9. Respondent Management, on the other hand examined Shri Nand Kishore, RW-1, President of the Managing Committee who besides disputing authority of Shri J.S. Kanwar to appoint petitioner as Clerk has deposed that new Managing Committee was elected on 12-12-1982 and the information was sent to the Registrar, Himachal Pradesh University by letter Ex-P-1. Thereafter, the University has restraining Capt. Dev Raj, Ex-President of the Managing Committee, from interfering

in the affairs of the college *vide* letter Ex. R-2. According to this witness petitioner was appointed as clerk without any interview and the post was not advertised to Employment Exchanges or in the Press. He has also disputed the correctness of letter Ex.P-6 and Ex. P-7 as there is nothing on the record to show that any interview was held. He has also proved the approval of the New Management Committee by the University by letter Ex-R-4. The witness has also deposed about the staffing pattern fixed by the authorities *vide* letter Ex. R-5 and only one clerk can be appointed as the strength of students in the College is below 500. According to him, the services of the Petitioner were dispensed with as his appointment was against the staffing pattern and his work was not found satisfactory as reported by the Principal *vide* Ex R-6.

10. The bone of contention between the parties is about the communication of the staffing pattern Ex. R-5. The respondent management has produced copy of letter dated 27-4-84 which has been issued by the Deputy Secretary Education and the said letter fixes the staffing pattern (Non-teaching staff) in privately managed colleges. In colleges where strength of students is upto 500, only one clerk is required to be appointed and for the creation of additional posts, the colleges are required to seek approval of the Government. Petitioner on the other hand, after adducing additional evidence, has brought on record letter dated 11-10-1984 which has been sent by the Director of Education, Himachal Pradesh to all the Principals of non-government affiliated colleges in Himachal Pradesh, fixing the staffing pattern. The said letter has been marked as Mark 'X'. In fact, the staffing pattern as envisaged in document Ex. R-5 is reiterated and reproduced in letter Mark 'X'. Authorised Representative of the petitioner has maintained that at the time of termination of the services of the petitioner no communication was received by the respondent management regarding the staffing pattern and the plea of the respondent management is an after thought. To my mind, the argument is without any basis as decision was taken by the Government on 27-7-1984 and communication in this respect was sent by the Deputy Secretary to the Director of Education and said communication has been proved as Ex. R-5. No doubt the communication has been circulated subsequently, as deposed by PW-4 Shri Sandhya Dass, the said communication was brought by the President of the Respondent Management Committee and decision of the Government dated 20-7-1984 became effective from the said date and if there is any delay in circulation of the said communication by the Director of Education, the petitioner cannot derive any benefit from such delay, once the decision becomes operative. Admittedly the petitioner was on probation and was junior most Clerk and his work was not found satisfactory and all these factors cumulatively led to his termination which cannot be termed as illegal or unjustified. In view of the aforesaid decision, Issue No. 1 is decided against the petitioner and this issue is answered in affirmative.

ISSUE No. 2

11. During the course of arguments, Authorised Representative of the Respondent Management has not pressed this issue and no findings are being recorded on this issue.

ISSUE No. 3

12. In view of the findings on Issue No. 1 and 2, Petitioner is not entitled to any relief. The copy of this award be sent to the Government for publication in H.P. Gazette in accordance with law and the copy of this award be supplied to the parties free of costs, if applied for.

Seal.

S. S. AHUJA,
Presiding Officer,
Labour Court, Shimla, H.P.
04-11-1988 Camp at Solan.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court, Himachal Pradesh

Case No. 119 of 1988

Shri Chet Ram son of Shri Churu Ram, Compressor Operator M/s Gammon India Ltd., Kafnoo, District Kinnaur .. Complainant.

Versus

- (1) M/s Gammen India Ltd., Kasroo, District Kinnaur, H.P.
 - (2) The Chief Engineer, Sankey Vidyut Pariyojna, Sungra.
 - (3) The H.P.S.E.B. through its Secretary, Shimla .. Respondents.

Present:

Shri P. L. Bery, Authorised Representative for the
Complainant.

Shri R.P. Singh for Respondent No. 1.

Shri R. S. Thakur for Respondent No. 2.

Shri S. P. Sharma for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers, the reference was made by the Himachal Pradesh Government in exercise of the powers under section 12(5) read with section 7 of the Industrial Disputes Act, 1947 to this Court on 23-7-1988. Reference has been registered on 16-8-1988. Following points have been referred for determination by this Court:—

1. "Whether the termination of services of S/Shri Amin Chand (Fitter), Shesh Ram, Assistant Foreman and retrenchment of S/Shri Ved Parkash, Maker Operator and Sukh Ram, Carpenter Fitter by the Management of M/s Gammon India Ltd., Sanjay Vidyut Parivojna, Kafnoo, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?"
 2. "Whether the demand of Shri Amin Chand and 18 others workers (list enclosed) who are/were in the employment of M/s Gammon India Ltd., Kafnoo for their absorption in the H.P. State Electricity Board is legal. If so, to what relief the workmen are entitled?"

In the main reference No. 28 of 1988, the petitioners have claimed that M/s Gammon India Ltd., Kafnoo District Kinnaur is a construction company which had been allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been decided that Sanjay Vidyut Parivojna, Sungro is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board for the said Project initially as daily rate workers. After Chief Engineer, Sanjay Vidyut Parivojna Sangro entered into contract with M/s Gammon India Ltd., all the petitioners were deputed by State Electricity Board and its Project Incharge M/s Gammon India Ltd. Services of the petitioners Shri Amin Chand, Ved Parkash, Sukh Ram and Sukh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been re-appointed to their original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officer as well as before the Hon'ble High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought re-instatement of the aforementioned terminated workers and directions to the effect that the petitioners are employees of Himachal Pradesh State Electricity Board.

M/s Gammon India Ltd., Kafnoo in their reply averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rate workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since then. They mentioned that the services were terminated 'fulfilling the requisite requirement of section 25-F of section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna, Sungra number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the

Electricity Board on daily wages for the construction of Sanjay Vidyut Pariyojna, Kafnoo and they left the job in 1983 at their own will and joined M/s Gammon India Ltd., where they were provided better salary, Site allowance along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafnoo and as such have refused to take back the petitioners we are workmen of M/s Gammon India Ltd., and have no concern with the Electricity Board.

6. During the pendency of main reference, number 28 of 1988 one of the petitioner, Shri Che Ram has filed complaint under section 33-A of the Industrial Disputes Act, 1947 on 11-10-1988. According to the petitioner, the Project Manager of M/s Gammon India Ltd. Kafnoo has served the retrenchment notice declaring him as surplus with effect from 1-10-1988 and the action of the respondent is in contravention of section 33(1) and section 33(2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under section 25-F read with section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Along with complaint photostat copy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioner are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice and have claimed that after the service of notice, petitioner has left the site of project and has failed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidyut Parivrojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafnoo.

7. The proceedings under section 33-A are required to be adjudicated as if the dispute has been referred to or pending before this court and award is required to be submitted to the appropriate Government. In view of certain admitted facts, the controversy between the parties does not require framing of issues or evidence to be adduced as the notice issued by Project Manager of M/s Gammon India Ltd. is against section 25F as one month's notice in writing has not been served nor the workman has been paid wages for the period of the notice. The workmen has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafnco has not filed any petition in accordance with section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violative of provisions under section 25-F of the Act as two peremptory conditions specified in clauses (a) and (b) have not been complied with and as such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth & General Mills Co., Ltd., v. Sembhu Nath Mukherji* reported in (1977) 4 SCC-415.

8. I am not advertising to the plea of the petitioner of his being re-patriated to Himachal Pradesh State Electricity Board as this is the main dispute pending in reference number 28 of 1988 & the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

9. In view of the foregoing discussions, researchmen notice dated 1-10-1988 is declared as invalid with the result that the petitioner Shri Chet Ram is deemed to continue in employment of M/s Gammon India Ltd. Kasnoo on the terms and conditions as existed on the said date.

Announced this 23rd day of February 1989.

Seal

S. S. AHUJA,
Presiding officer,
Labour Court, H.P. Shimla,
23-02-1980

Before Shri S. S. Ahuja Presiding Officer, Labour Court
Himachal Pradesh

Case No. 33 of 1989

Shri Jagdish Chand, Carpenter & Fitter M/s Gammon India Ltd., Kafroco, District Kinnaur

.. Complainant.

Versus

(1) M/s Gammon India Ltd., Kafroco, District Kinnaur H.P.

(2) The Chief Engineer, Sanjay Vidhyut Pariyojna, Sunga.

(3) The H.P.S.E.B., through its Secretary Shimla .. Respondents.

Present:

Shri J. L. Berry, Authorised Representative for the complainant.

Shri R. P. Singh for Respondent No. 1.

Shri R. S. Thakur for Respondent No. 2.

Shri S. P. Sharma for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers, the reference was made by the Himachal Pradesh Government in exercise of the powers under section 12(5) read with section 7 of the Industrial Disputes Act, 1947 to this Court on 23-7-1988. Reference has been registered on 16-8-1988. Following points have been referred for determination by this Court:—

- "Whether the termination of services of S/Shri Amin Chand (Fitter), Sheesh Ram, Assistant Foreman and retrenchment of S/Shri Ved Parkesh, Maker Operator and Sukh Ram, Carpenter Fitter by the Management of M/s Gammon India Ltd., Sanjay Vidhyut Pariyojna, Kafroco, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?"
- "Whether the demand of Shri Amin Chand and 18 other workers (list enclosed) who were/were in the employment of M/s Gammon India Ltd., Kafroco for their absorption in the H.P. State Electricity Board is legal. If so, to what relief the workmen are entitled?"

2. In the main reference No. 28 of 1988, the petitioners have claimed that M/s Gammon India Ltd., Kafroco District Kinnaur is a construction company which had been allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been pleaded that Sanjay Vidhyut Pariyojna, Sunga is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board for the said Project initially as daily rated workers. After Chief Engineer, Sanjay Vidhyut Pariyojna, Sunga entered into contract with M/s Gammon India Ltd., all the petitioners were deputed by the State Electricity Board and its Project Incharge to M/s Gammon India Ltd. Services of the petitioners S/Shri Amin Chand, Ved Parkesh, Sukh Ram and Sheesh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been re-patriated to original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officers as well as before the Hon'ble High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought re-instatement of the aforesaid four terminated workers and directions to the effect that the petitioners be emp'oyees of Himachal Pradesh State Electricity Board.

3. M/s Gammon India Ltd., Kafroco in their reply has averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rated workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since 1983. They mentioned that the services were terminated after fulfilling the requisite requirement of section 25-F and section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer Sanjay Vidhyut Pariyojna Sunga number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the Electricity Board on daily wages for the construction of Sanjay Vidhyut Pariyojna Kafroco and they left the job in 1983 at their own will and joined M/s Gammon India Ltd. where they were provided better salary, Site allowance along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafroco and as such have refused to take back the petitioners whose work is of M/s Gammon India Ltd., and have no concern with the Electricity Board.

6. During the pendency of main reference, number 28 of 1988, one of the petitioners, Shri Jagdish Chand has filed complaint under section 33-A of the Industrial Disputes Act, 1947 on 30-1-1989. According to the petitioner, the Project Manager of M/s Gammon India Ltd., Kafroco has served the retrenchment notice declaring his as surplus with effect from 10-1-1989 and the action of the respondent is in contravention of section 32(1) and section 33(2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under section 25-F read with section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Along with complaint, photocopy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioners are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice and have claimed that after the service of notice, petitioner has left the site of project and has failed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidhyut Pariyojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafroco.

7. The proceedings under section 33-A are required to be adjudicated as if the dispute has been referred to or pending before this court and award is required to be submitted to the appropriate Government. In view of certain admitted facts, the controversy between the parties, does not require framing of issues or evidence to be adduced as the notice issued by Project Manager of M/s Gammon India Ltd., is against section 25-F as one Month's notice in writing has not been served for the workman has been paid wages for the period of the notice. The workman has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafroco has not filed any petition in accordance with section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violation of provisions under section 25-F of the Act as two pecuniary conditions specified in clauses (a) & (b) have not been complied with and as such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth General Mills Co., Ltd.*, v. *Shambhu Nath Mukherji* reported in (1977) 4 SCC-415.

8. I am not adverting to the plea of the petitioner of his being repatriated to Himachal Pradesh State Electricity Board; this is the main dispute pending in reference number 28 of 1988 and the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

9. In view of the aforesaid discussions, retrenchment notice dated 10-1-1989 is declared as invalid with the result that the petitioner Shri..... is deemed to continue in employment of M/s Gammon India Ltd., Kafroco on the terms and conditions as existed on the said date.

Announced this 23rd day of February, 1989.

Seal.

S. S. AHUJA,
Presiding Officer,
Labour Court, H.P., Shimla.
23-02-1989.

Before Shri S. S. Abula, Presiding Officer, Labour Court
Himachal Pradesh

Case No. 34 of 1989

Shri Pritam Chand, Compressor Operator M/s Gammon India Ltd., Kafnoo, District Kinnaur ..Complainant.

Versus

- (1) M/s Gammon India Ltd., Kafnoo, District Kinnaur, H.P.
- (2) The Chief Engineer, Sanjay Vidyut Pariyojna, Sungra.
- (3) The H.P.S.E.B. through its Secretary, Shimla ..Respondents.

Present:

Shri P. L. Bery Authorised Representative for the complainant.

Shri R. P. Singh Respondent No. 1.

Shri R. S. Thakur for Respondent No. 2.

Shri S. P. Sirnji for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers the reference was made by the Himachal Pradesh Government in exercise of the powers under section 12(5) read with section 7 of the Industrial Disputes Act, 1947 to this Court on 23-7-1988. Reference has been registered on 16-8-1988. Following points have been referred for determination by this Court:—

- (1) "Whether the termination of services of S/Shri Amin Chand (Fitter), Shesh Ram, Assistant Foreman and retrenchment of S/Shri Ved Parkash, Makar Operator and Sukh Ram, Carpenter fitter by the Management of M/s Gammon India Ltd., Sanjay Vidyut Pariyojna, Kafnoo, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?"
- (2) "Whether the demand of Shri Amin Chand and 18 other workers (list enclosed) who are/were in the employment of M/s Gammon India Ltd., Kafnoo for their absorption in the H. P. State Electricity Board is legal. If so, to what relief the workmen are entitled?"

2. In the main reference No. 28 of 1988, the petitioners have claimed that M/s Gammon India Ltd., Kafnoo, District Kinnaur is a construction company which had been allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been pleaded that Sanjay Vidyut Pariyojna, Sungra is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board for the said Project initially as daily rated workers. After Chief Engineer, Sanjay Vidyut Pariyojna, Sungra entered into contract with M/s Gammon India Ltd., the petitioners were deputed by the State Electricity Board and its Project Incharge to M/s Gammon India Ltd. Services of the petitioners S/Shri Amin Chand, Ved Parkash, Sukh Ram and Seesh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been re-patriated to original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officer as well as before the Hon'bl. High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought re-instatement of the aforesaid four terminated workers and directions to the effect that the petitioners are employees of Himachal Pradesh State Electricity Board.

3. M/s Gammon India Ltd., Kafnoo in their reply has averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rated workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since 1983. They mentioned that the services were terminated after fulfilling the requisite requirement of section 25-F and section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna, Sungra number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the Electricity Board on daily wages for the construction of Sanjay Vidyut Pariyojna, Kafnoo and they left the job in 1983 at their own will and joined M/s Gammon India Ltd., where they were provided better salary, site allowance along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafnoo and as such have refused to take back the petitioners who are workmen of M/s Gammon India Ltd., and have no concern with the Electricity Board.

6. During the pendency of main reference number 28 of 1988, one of the petitioner, Shri Pritam Chand has filed complaint under section 33-A of the Industrial Disputes Act, 1947 on 30-1-1989. According to the petitioner, the Project Manager of M/s Gammon India Ltd., Kafnoo has served the retrenchment notice declaring him as surplus with effect from 22-12-1988 and the action of the respondent is in contravention of section 33(1) and Section 33(2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under section 25-F read with section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Alongwith complaint, photostat copy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioners are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice and have claimed that after the service of notice, petitioner has left the site of project and has failed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafnoo.

7. The proceedings under section 33-A are required to be adjudicated as if the dispute has been referred to or pending before this court and award is required to be submitted to the appropriate Government. In view of certain admitted facts, the controversy between the parties, does not require framing of issues or evidence to be adduced as the notice issued by Project Manager of M/s Gammon India Ltd. is against section 25-F as one Month's notice in writing has not been served nor the workmen has been paid wages for the period of the notice. The workman has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafnoo has not filed any petition in accordance with Section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violation of provisions under Section 25-F of the Act as two pre-emptory conditions specified in clauses (a) & (b) have not been complied with and as such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth & General Mill Co. Ltd. v. Shambhu Nath Mukherji* reported in (1977) 4 SCC 415.

8. I am not adverting to the plea of the petitioner of his being re-patriated to Himachal Pradesh State Electricity Board as this is the main dispute pending in reference number 28 of 1988 and the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

In view of the aforesaid discussion, retrenchment notice dated 22-12-88 is declared as invalid with the result that the petitioner Shri Pritam Chand is deemed to continue in employment of M/s Gammon India Ltd., Kafnoo on terms and conditions as existed on the said date.

Anounced this 23rd day of February, 1989.

Seal.

S. S. AHUJA,
Presiding Officer,
Labour Court, H.P. Shimla.
23-02-1989.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court
Himachal Pradesh

Case No. 35 of 1989

Sri Kishori Lal Choudhary: Operator, M/s Gammon India Ltd., Kafnoo, District Kinnaur, Himachal Pradesh.
... Complainant.

Versus

(1) M/s Gammon India Ltd., Kafnoo, District Kinnaur, Himachal Pradesh.

(2) The Chief Engineer, Sanjay Vidyut Pariyojna, Sungra.

(3) The Himachal Pradesh State Electricity Board, Shimla. ... Respondents.

Present:

Sri P.L. Berry, Authorised Representative for the Complainant.

Sri R.P. Singh for Respondent No. 1.

Sri R.S. Tukri for Respondent No. 2.

Sri S.P. Saini for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers, the complaint was made by the Himachal Pradesh Government in exercise of the powers under section 12 (5) read with Section 7 of the Industrial Disputes Act, 1947 to this Court on 23-1-1988. Reference has been registered on 15-3-1988. Following points have been referred for determination by this Court:

- Whether the termination of services of S/Shri Amin Chand (Fitter), Shesh Ram, Assistant Foreman and retrenchment of S/Shri Ved Purkash, Miller Operator and Sukh Ram, Carpenter Fitter by the Management of M/s. Gammon India Ltd., Sanjay Vidyut Pariyojna, Kafnoo, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?
- Whether the demand of Shri Amin Chand and 18 other workers (list enclosed) who are/were in the employment of M/s Gammon India Ltd., Kafnoo for their absorption in the Himachal Pradesh State Electricity Board is legal. If so, to what relief the workmen are entitled?

2. In the main reference No. 28 of 1988, the petitioners have claimed that M/s Gammon India Ltd., Kafnoo, District Kinnaur is a construction company which had allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been pleaded that Sanjay Vidyut Pariyojna, Sungra is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board to the said Project initially as daily rated workers. After Chief Engineer, Sanjay Vidyut Pariyojna, Sungra entered into contract with M/s Gammon India Ltd., all the petitioners were deputed by the State Electricity Board and its Project Incharge to M/s Gammon India Ltd., Services of the petitioners S/Shri Amin Chand, Ved Purkash, Sukh Ram and Seesh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been repatriated to original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officer as well as before

the Hon'ble High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought re-instatement of the aforesaid for terminated workers and directions to the effect that the petitioners are employees of Himachal Pradesh State Electricity Board.

3. M/s Gammon India Ltd., Kafnoo in their reply has averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rated workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since 1983. They mentioned that the service were terminated after fulfilling the requisite requirement of section 25-F and section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna, Sungra number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the Electricity Board on daily wages for the construction of Sanjay Vidyut Pariyojna, Kafnoo and they left the job in 1983 at their own will and joined M/s Gammon India Ltd. where they were provided better salary, site allowance along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafnoo and as such have refused to take back the petitioners who are workmen of M/s Gammon India Ltd. and have no concern with the Electricity Board.

6. During the pendency of main reference, number 28 of 1988, one of the petitioner, Shri Kishori Lall has filed complaint under Section 33-A of the Industrial Disputes Act, 1947 on 30-1-1989. According to the petitioner, the Project Manager of M/s Gammon India Ltd., Kafnoo has served the retrenchment notice declaring his as surplus with effect from 1-10-1988 and the action of the respondent is in contravention of section 33(1) and section 33 (2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under section 25-F read with section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Along with complaint, photostat copy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioners are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice and have claimed that after the service of notice, petitioner has left the site of project and has failed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafnoo.

7. The proceedings under section 33-A are required to be adjudicated as if the dispute has been referred to or pending before this court and award is required to be submitted to the appropriate Government. In view of certain admitted facts, the controversy between the parties, does not require framing of issues or evidence to be adduced as the notice issued by Project Manager of M/s Gammon India Ltd. is against Section 25-F as one Month's notice in writing has not been served nor the workman has been paid wages for the period of the notice. The workman has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafnoo has not filed any petition in accordance with Section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violation of provisions under Section 25-F of the Act as two peremptory conditions specified in clauses (a) and (b) have not been complied with and as such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth & General Mills Co. Ltd. v. Shambhu Nath Mukherji* reported in (1977) 4 SCC 415.

8. I am not adverting to the plea of the petitioner of his being re-patriated to Himachal Pradesh State Electricity Board as this is the main dispute pending in reference number 28 of 1988 and the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

9. In view of the aforesaid discussions, retrenchment notice dated 1-10-1988 is declared as invalid with the result that the petitioner Shri Kishori Lal is deemed to continue in employment of M/s Gammon India Ltd., Kafnoo on the terms and conditions as existed on the date.

Announced this 23rd day of February, 1989.

Seal.

S. S. AHUJA,
Presiding Officer.
Labour Court H.P., Shimla, 23-02-1989.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court
Himachal Pradesh

Case No. 36 of 1989

Shri Beli Ram, Muck Operator, M/s Gammon India
Ltd., Kafnoo, District Kinnaur ..Complainant.

Versus

(1) M/s Gammon India Ltd., Kafnoo, District
Kinnaur, Himachal Pradesh.

(2) The Chief Engineer, Sanjay Vidyut Pariyojna,
Sungra.

(3) The Himachal Pradesh State Electricity Board
through its Secretary, Shimla ..Respondents.

Present:

Shri P. L. Bery, Authorised Representative for the
complainant.

Shri R. P. Singh for Respondent No. 1.

Shri R.S. Thakur for Respondent No. 2

Shri S. P. Sharma for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers, the reference was made by the Himachal Pradesh Government in exercise of the powers under Section 12(5) read with section 7 of the Industrial Disputes Act, 1947 to this Court on 23-7-1988. Reference has been registered on 16-8-1988. Following points have been referred for determination by this Court.

1. "Whether the termination of services of S/Shri Amin Chand (Fitter), Shesh Ram, Assistant Forman and retrenchment of S/Shri Ved Parkash, Maker Operator and Sukh Ram, Carpenter Fitter by the Management of M/s Gammon India Ltd., Sanjay Vidyut Pariyojna, Kafnoo, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?"

2. "Whether the demand of Shri Amin Chand and 18 other workers (List enclosed) who are/were in the employment of M/s Gammon India Ltd., Kafnoo for their absorption in the Himachal Pradesh State Electricity Boards is legal. If so, to what relief the workmen are entitled?"

2. In the main reference No 28 of 1988, the petitioners have claimed that M/s Gammon India Ltd., Kafnoo District Kinnaur is a construction Company which had been allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been pleaded that Sanjay Vidyut Pariyojna, Sungra is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board for the said Project initially as daily rated workers. After Chief Engineer, Sanjay Vidyut Pariyojna, Sungra

entered into contract with M/s Gammon India Ltd., all the petitioners were deputed by the State Electricity Board and its Project/Incharge to M/s Gammon India Ltd. Services of the petitioners S/Shri Amin Chand, Ved Parkash, Sukh Ram and Seesh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been re-patriated to original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officer as well as before the Hon'ble High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought a written statement of the aforesaid four terminated workers and directions to the effect that the petitioners are employees of Himachal Pradesh State Electricity Board.

3. M/s Gammon India Ltd., Kafnoo in their reply has averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rated workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since 1983. They mentioned that the services were terminated after fulfilling the requisite requirement of section 25-F and Section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna, Sungra number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the Electricity Board on daily wages for the construction of Sanjay Vidyut Pariyojna, Kafnoo and they left the job in 1983 at their own will and joined M/s Gammon India Ltd. where they were provided better salary, site allowance along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafnoo and as such have refused to take back the petitioners who are workmen of M/s Gammon India Ltd. and have no concern with the Electricity Board.

5. During the pendency of main reference number of 28 of 1988, one of the petitioner, Shri Beli Ram has filed complaint under section 33-A of the Industrial Disputes Act, 1947 on 30-1-1989. According to the petitioner the Project Manager of M/s Gammon India Ltd., Kafnoo has served the retrenchment notice declaring him as surplus with effect from 22-12-1988 and the action of the respondent is in contravention of Section 33 (1) and Section 33 (2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under Section 25-F read with Section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Alongwith complaint Photostat copy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioners are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice and have claimed that after the service of notice, petitioner has left the site of project and has failed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafnoo.

6. The proceedings under Section 33-A are required to be adjudicated as if the dispute has been referred to or pending before this Court and award is required to be submitted to the Appropriate Government. In view of certain admitted facts, the controversy between the parties, does not require fixing of issues or evidence to be adduced as the notice issued by Project Manager of M/s Gammon India Ltd., is against section 23-F as one Month's notice in writing has not been served nor the workman has been paid wages for the period of the notice. The workman has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafnoo has not filed

any petition in accordance with section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violation of provisions under section 25-F of the Act as two pre-matory conditions specified in clauses (a) & (b) have not been complied with and as such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth and General Mills Co. Ltd. v. Shambhu Nath Mukherji* reported in (1977) 4 SCC-415.

7. I am not adverting to the plea of the petitioner of its being re-patriated to Himachal Pradesh State Electricity Board as this is the main dispute pending in reference number 28 of 1988 and the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

8. In view of the aforesaid discussions, retrenchment notice dated 22-12-1988 is declared as invalid with the result that the petitioner Shri Brij Ram is deemed to continue in employment of M/s Gammon India Ltd., Kafnoo on the terms and conditions as existed on the said date.

Announced this 23rd day of February, 1989.

Seal.

S. S. AHUJA,
Presiding Officer.
Labour Court, H. P. Shimla.
23-02-1989.

Before Shri S.S. Ahuja, Presiding Officer, Labour Court, Himachal Pradesh

Case No. 37 of 1989

Shri Roshan Lal, Fitter, M/s Gammon India Ltd., Kafnoo, District Kinnaur ..Complainant.

Versus

(1) M/s Gammon India Ltd., Kafnoo, District Kinnaur
Himachal Pradesh

(2) The Chief Engineer, Sanjay Vidyut Pariyojna, Sungra.

(3) The H.P.S.E.B. through its Secretary Shimla
..Respondents.

Present :

Shri P. L. Bery, Authorised Representative for the complainant.

Shri R.P. Singh for Respondent No. 1.

Shri R.S. Thakur for Respondent No. 2.

Shri S. P. Sharma for Respondent No. 3.

ORDER

On the dispute having been raised by some of the workers, the reference was made by the Himachal Pradesh Government on exercise of the powers under section 12 (5) read with section 7 of the Industrial Disputes Act, 1947 to this Court on 23-7-1988. Reference has been registered on 16-8-1988. Following points have been referred for determination by this court:—

1. "Whether the termination of Services of S/Shri Amin Chand (Fitter), Shesh Ram Assistant Forman and retrenchment of S/Shri Ved Parkash Maker Operator and Sukh Ram, Carpenter filter by the Management of M/s Gammon India Ltd., Sanjay Vidyut Pariyojna, Kafnoo, District Kinnaur is legal and maintainable. If illegal, to what relief and amount of compensation these workmen are entitled?"
2. "Whether the demand of Shri Amin Chand and 18 other workers (List enclosed) who are/were in the Employment of M/s Gammon India Ltd., Kafnoo for their absorption in the Himachal Pradesh State Electricity Board

is legal. If so, to what relief the workmen are entitled?"

2. In the main reference No. 28 of 1988, the petitioners claimed that M/s Gammon India Ltd., Kafnoo District Kinnaur is a construction company which had been allotted the construction of tunnel by Himachal Pradesh State Electricity Board. It has also been pleaded that Sanjay Vidyut Pariyojna, Sungra is part and parcel of the Himachal Pradesh State Electricity Board and all the petitioners were employed in the State Electricity Board for the said Project initially as daily rated workers. After Chief Engineer, Sanjay Vidyut Pariyojna, Sungra entered into contract with M/s Gammon India Ltd., all the petitioners were deputed by the State Electricity Board and its Project Incharge to M/s Gammon India Ltd. Services of the petitioners S/Shri Amin Chand, Ved Parkash, Sukh Ram and Seesh Ram were terminated by the M/s Gammon India Ltd., which has been challenged by the workers who have claimed that they should have been repatriated to original employer i.e. Himachal Pradesh State Electricity Board. The matter has been taken before the Conciliation Officer as well as before the Hon'ble High Court in Civil Writ Petition No. 477 of 1987 and the petitioners have sought re-instatement of the aforesaid four terminated workers and directions to the effect that the petitioners are employees of Himachal Pradesh State Electricity Board.

3. M/s Gammon India Ltd., Kafnoo in their reply has averred that earlier the petitioners were employed by the Himachal Pradesh State Electricity Board as daily rated workers and after the construction work was taken over by the said company, the petitioners willingly opted to work with them on better and lucrative terms since 1983. They mentioned that the services were terminated after fulfilling the requisite requirement of section 25-F and Section 25-N.

4. In the written statement filed on behalf of Himachal Pradesh State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna, Sungra number of preliminary objections have been raised but it has been admitted that petitioners were initially engaged by the Electricity Board on daily wages for the construction of Sanjay Vidyut Pariyojna Kafnoo and they left the job in 1983 at their own will and joined M/s Gammon India Ltd., where they were provided better salary, site allowance, along with usual allowances. They have denied that they have deputed the petitioners to M/s Gammon India Ltd., Kafnoo and as such have refused to take back the petitioners who are workmen of M/s Gammon India Ltd. and have no concern with the Electricity Board.

5. During the pendency of main reference, number of 28 of 1988, one of the petitioner, Shri Roshan Lal has filed complaint under section 33-A of the Industrial Disputes Act, 1947 on 30-1-1989. According to the petitioner, the project Manager of M/s Gammon India Ltd., Kafnoo has served the retrenchment notice declaring him as surplus with effect from 1-10-1988 and the action of the respondent is in contravention of section 33 (1) and section 33 (2) of the Act and there is no surplusage of workers. It has also been averred that condition precedent under section 25-F read with section 25-N have not been complied with. The petitioner has claimed that in view of the dispute having been raised, even if retrenchment is necessary, he should have been sent back to the Electricity Board. Along with complaint, photostat copy of the notice issued by Project Manager of M/s Gammon India Ltd., has been annexed. In the reply filed by M/s Gammon India Ltd., they have mentioned that the services of the petitioners are not required as entire work has been finally completed and all the workers have been retrenched. They have admitted the issuance of the notice, and have claimed that after the service of notice, petitioner has left the site of project and has filed to collect the dues from the office. The State Electricity Board as well as Chief Engineer, Sanjay Vidyut Pariyojna have filed joint written statement and they have raised preliminary objections that they have no concern with the matter as the petitioner was employed by M/s Gammon India Ltd., Kafnoo.

6. The proceedings under Section 33-A are required to be adjudicated as if the dispute has been referred to or pending this Court and award is required to be submitted to the Appropriate Government. In view of certain admitted facts, the controversy between the parties, does not require naming of issues or evidence to be adduced, as the notice issued by Project Manager of M/s Gammon India Ltd. is again Section 25-F as one Month's notice in writing has not been served not the workman has been paid wages for the period of the notice. The workman has also not been paid compensation for retrenchment. The employer M/s Gammon India Ltd., Kafnoo has not filed any petition in accordance with section 33 of the Industrial Disputes Act, 1947 seeking permission or approval although sufficient time has lapsed since the notice of retrenchment was served on the petitioner. Undisputedly, it is violation of provisions under section 25-F of the Act as two premeditated conditions specified in clauses (a) & (b) have not been complied with and such the notice is invalid in view of the law laid down by the Hon'ble Supreme Court in the case of *Delhi Cloth and General Mills Co. Ltd., v. Shambhu Nath Mukherji* reported in (1977) 4 SCC-415.

7. I am not advertizing to the plea of the petitioner of his being re-patriated to Himachal Pradesh State Electricity Board as this is the main dispute pending in reference number 28 of 1988 and the notice issued by Project Management being invalid, there is no need to determine the said controversy for the decision on this complaint.

8. In view of the aforesaid discussions, retrenchment notice dated 1-10-1988 is declared as invalid with the result that the petitioner Shri Roshan Lal is deemed to continue in employment of M/s Gammon India Ltd., Kafno on the terms and conditions as existed on the said date.

Announced this 23rd day of February, 1989.

Seal.

S. S. AHUJA,
Presiding Officer,
Labour Court, H. P., Shimla.
23-02-1989.

बहुदेशीय परियोजनाएँ एवं विद्युत विभाग

श्रध्यमूचनाएँ

शिमला-2, 15 मई, 1989

संख्या विद्युत-छ (5)-82/88.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि राष्ट्रीय जल विद्युत परियोजना नियम गतिरूप (एनो एचो पीओ सी 0) जोकि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) को धारा 3 के खण्ड (सी 0 सी 0) के अर्थात् उत्तराधिकार के स्वामित्व और नियन्त्रण के अधीन एक नियम है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः मुहाल बारकालिया ह० ब० न० (32), तहसील भटियार, जिनाचम्बा के चमोरा जल विद्युत परियोजना के प्रथम चरण के मुख्य भण्डार के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि नीचे विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह श्रध्यमूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यरत अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत यही अन्य कार्यों को करने के लिए सहृदय प्राविकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों को अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विजली बोर्ड, यिसिल वैंक, शिमला-3, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है।

के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, चमोरा जल विद्युत परियोजना, हिल फूट्स, डाकघासा मुलतानपुर, चम्बा, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : चम्बा	तहसील : भटियार	क्षेत्र			
		गांव	खसरा नं०	बी०	बि०
		1	2	3	4
धारकोलिया			361/3/1	11	8
(32)			371/2/1	1	6
			371/3/1	8	19
	किता . .	3		21	13

यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विजली बोर्ड जोकि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी 0 सी 0) के अर्थात् उत्तराधिकार के स्वामित्व और नियन्त्रण के अधीन एक नियम है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि नीचे विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यरत अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत यही अन्य कार्यों को करने के लिए सहृदय प्राविकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों को अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विजली बोर्ड, यिसिल वैंक, शिमला-3, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है।

*नायपा ज्ञाकड़ी परियोजना के ललवा दबावे तथा कार्य सुविधा हेतु।

सख्ता विद्युत-छ (5)-11/89.

विवरणी

तहसील : निचार

ग्राम	खसरा नं०	हैक्टेयरों में			लेव	
		1	2	3	4	5
उप-मुहाल		66		0	15	78
चोरा		67		0	02	88
		68		0	02	56
		69/2		0	02	34
		69/3		0	10	48
		73		0	10	75
		74		0	18	74
		72/2		0	08	75
		71/2		0	05	89
		80		0	13	56
		70		0	05	52
		75		0	02	14
		76		0	03	60
		78		0	02	38
		79		0	02	52
	किता . .	15		0	07	89

*नाथपा झाकड़ी परियोजना के लिए सौलिंग खान तक सड़क के निर्माण होता।

संख्या विद्युत-४ (5)-10/89.

शिमला-2, 29 मई, 1989

1	2	3	4	5
पौड़ा	15	0	04	38
16/1	0	04	00	
17/1	0	02	26	
64	0	01	15	
66/1	0	03	87	
67	0	01	13	
68/1	0	01	39	
69	0	06	65	
70	0	02	48	
91/1	0	00	68	
71/1	0	01	26	
कित्ता	11	0	29	23

शिमला-2, 29 मई, 1989

सं० विद्युत-४ (5)-7/89.—यतः राज्यपाल, हिमाचल प्रदेश को बहु प्रतीत होता है कि व्यास निर्माण बोर्ड (पावर विंग) जोकि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा-3 के खण्ड (सी० सी०) के अधिनियमत सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः व्यास ओपरेल/197, तहसील सदर, जिला चिलासपुर में 400 के वी. डेहर-पारीपत लाईन के टावरनं० 51 के निर्माण होते भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परियोजने में जैसा कि नीचे विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इस से सम्बन्धित हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और अधिकारियों को इलाके में किसी भी भूमि में प्रवेश करने से तथा सरेक्षण करने और उस धारा द्वारा अपेक्षित अधवा अनुसत अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कांडे भी ऐसा हितबद्ध व्यक्ति, जिने उक्त परियोजने में कार्यत भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, व्यास सतलज लिक परियोजना मण्डी, जिला मण्डी, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : चिलासपुर

तहसील : सदर

ग्राम	खसरा नं०	क्षेत्र वर्ग मीटरों में
ओपरेल/197	205/1	92 00 वर्ग डैसी मीटर

शिमला-2, 29 मई, 1989

संख्या विद्युत-४ (5)-4/89.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य बिजली बोर्ड, जोकि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी० सी०) के अधिनियमत सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः मुहाल चुलारहा, तहसील जोगिन्द्रनगर, जिला मण्डी

में उक्त परियोजना के तीनों चरण की चैनल (channel) के निर्माण होते भूमि अर्जित करनी प्रयोजन है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परियोजने में जैसा की निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिये भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं या हो सकते हैं की जानकारी के लिये भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और अधिकारियों को इलाके की किसी भी भूमि में प्रवेश करने तथा सरेक्षण करने और उस धारा द्वारा अपेक्षित अधवा अनुसत अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिने उक्त परियोजने में कार्यत भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, मण्डी, जिला मण्डी, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : मण्डी

तहसील : जोगिन्द्रनगर

ग्राम	खसरा नं०	क्षेत्र वर्ग मीटरों में	क्षेत्र				
			वी०	वि०	विस्वा०	वी०	वि०
1	2	3	4	5	6	7	8
चलारहा			104	0	3	6	
			130	1	1	8	
			132	0	1	8	
			167	0	0	16	
			129	1	2	2	
			131	0	2	14	
			168	0	1	16	
			133	0	2	8	
			164	0	1	18	
			166	0	1	0	
			180	0	17	1	
			91	0	1	4	
			111	0	3	2	
			114	0	3	12	
			110	0	1	14	
			113	0	6	17	
			165	0	5	10	
			173	0	11	16	
			178	0	9	6	
			179	2	12	6	
			140	0	15	12	
			149	0	16	1	
			150	1	3	6	
			28	0	4	13	
			72	0	3	14	
			83	0	2	10	
			84	0	1	10	
			122	1	13	7	
			155	0	3	12	
			161	0	2	8	
			153	0	6	12	
			156	0	2	3	
			169	0	1	7	
			85	0	10	4	
			92	0	6	7	
			112	0	4	0	
			123	0	12	13	
			135	0	17	16	
			124	0	18	3	
			135/1	0	2	18	

1	2	3	4	5	1	2	3	4	5
138		0	7	14		148	3	1	1
71		0	7	5		71/1	0	2	10
86		0	4	10					
116		0	2	2	किता ..	109	48	11	5
99		0	3	9					
108		0	1	7					
162		0	1	10					
125		0	5	13					
128		0	8	10					
126		0	8	16					
134		0	2	0		लोक निर्माण विभाग			
137		0	1	19					
127		0	8	10		अधिसूचनाएं			
136		0	4	6					
160		0	12	5					
66		0	1	2					
70		0	3	13					
87		0	6	6					
115		0	12	8					
26		1	12	6					
27		0	2	12					
32		0	2	6					
67		0	3	15					
68		0	4	10					
74		0	2	0					
75		1	12	0					
25		2	10	10					
69		0	7	6					
73		0	7	6					
76		0	5	11					
82		0	3	14					
105		0	7	10					
139		0	11	15					
33		0	9	11					
37		0	13	17					
78		0	11	18					
80		0	9	0					
81		0	1	11					
31		0	0	14					
36		0	10	1					
79		0	8	18					
163		0	4	3					
29		0	1	1					
30		0	1	11					
34		0	1	0					
119		0	6	0					
120		1	2	14					
171		0	1	10					
35		0	1	2					
118		0	2	5					
112		0	7	13					
100		0	3	10					
101		0	4	8					
106		0	7	17					
151		0	15	0					
152		0	9	7					
154		0	5	17					
170		0	3	16					
172		0	6	7					
141		0	1	4					
142		0	4	4					
103		0	6	12					
117		2	13	14					
107		0	6	2					
102		0	3	3					
109		0	11	10					
88		0	14	8					

आदेश द्वारा;
कैलाश चन्द महाजन,
सचिव।

लोक निर्माण विभाग

अधिसूचनाएं

यतः हिमाचल प्रदेश के राजपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः* भूमि ली जानी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि नीचे विवरणों में वर्णित भूमि उपर्युक्त* प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सभी सम्बन्धित व्यक्तियों की सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 6 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी को उक्त भूमि के अर्जन करने के आदेश लेने का एतद्वारा निर्देश दिया जाता है।

3. भूमि का रेखांक भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी के कार्यालय में निरीक्षण किया जा सकता है।

*एक्झू-मटर्ल सड़क के निर्माण हेतु।

सं ० लो ० नि ०(ख) ७(१)-७६/८९.

शिमला-२, ५ मई, १९९९.

विवरणी

तहसील: जोगिन्द्रनगर

जिला : मण्डी	गांव	खसरा नं०		झेत्र		
		१	२	३	४	५
	एहजू			2/1	0	17
				4/1	0	5
				44/1	0	3
	भखेड़			353/1	0	3
				319	0	1
				320	0	1
				89/1	0	3
				90/1	0	3
				94/1	0	2
				95/1	0	1
				95/2	0	0
				91/1	1	2
				93/1	0	2
				285/1	0	0
				285/2	0	1
				407/1	0	0
				408/1	0	1
				607/1	0	1
				315/1	0	0
				315/2	0	1
				315/3	0	2
				315/4	0	1

1	2	3	4	5
1691/311	0	2	4	
288/1	0	2	6	
286	0	8	14	
287/1	0	6	3	
313/1	0	3	5	
313/2	0	0	15	
313/3	0	4	1	
606/1	0	3	6	
314	0	1	7	
312	0	3	0	
307/1	0	1	10	
307/2	0	4	1	
404/1	0	0	6	
355/1	0	2	1	
357/1	0	1	16	
405/1	0	0	9	
406/1	0	2	1	
1075/409/2	0	3	6	
609/1/1	0	2	8	
किता ..	38	5	6	6
मट्टु	172/2	0	0	8
	210/2	0	11	14
	185/1	0	3	12
	208/1	0	7	4
	211	0	4	14
	182/1	0	0	12
	183/1	0	1	16
	186/1	0	1	0
	1005/159/2	0	18	2
किता ..	9	2	9	2
ठारु	784/19/1	0	3	0
	788/22/1	0	1	16
	23/1	0	1	2
	29/1	0	0	14
	31/1	0	2	0
	32/1	0	1	18
	211/1	0	1	16
	222/1	0	1	0
	408/1	0	1	7
	612/1	0	2	13
	674/622/1	0	2	3
	698/1	0	4	18
	699/1	0	1	19
	702/1	0	0	11
	18/1	0	0	12
	20/2	0	1	1
	619/1	0	0	1
	619/2	0	1	19
	620	0	7	2
किता ..	19	1	17	12

*द्रांग-वसाही सङ्क के निर्माण हेतु।

सं0 लो0 नि0(ब) 7(1) 101/87.

शिमला-171 002, 5 मई, 1989.

कुफरी

580/1/1 1 2 10

किता ..

1 1 2 10

*द्रांग-कटिण्डी सङ्क के निर्माण हेतु।

सं0 लो0 नि0(ब) 7(1) 83/87.

शिमला-171 002, 5 मई, 1989.

1	2	3	4	5
नगरीटा	9/1	0	0	7
	28/1	0	2	0
	19	0	8	4
	29/1	0	0	4
	21/1	0	1	2
	22	0	1	16
	941/1	0	2	16
	942/1	0	5	15
	23	0	2	9
	406	0	1	15
	397/1	0	2	15
	26/1	0	2	2
	27/1	0	1	14
	398/1	0	1	16
	398/2	0	2	4
	422/1	0	2	2
	417 मा0	0	0	16
	453/1	0	4	19
	458/1	0	0	12
	456/1	0	4	4
	421/1	0	3	18
	408/1	0	1	16
	477/1	0	5	2
	503/1	0	2	2
	503/2	0	10	6
	478/1	0	2	10
	1138/508/1	0	6	2
	920/1	0	17	5
	937/1	0	1	2
	940/1	0	8	10
	1023/1	1	3	2
	395/1	0	0	2
	405/1	0	0	6
	407/1	0	2	2
	419/1	0	0	8
	419/2	0	0	10
किता ..	36	6	14	16

शिमला-2, 5 मई, 1989

संख्या लो0 नि0(ब) 7(1) 148/88.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः गांव नारी, ज्वाल बनवनसेहड़ा और उष-मूहाल धलबाड़ी, तहसील अम्ब, जिला जत्ता में विन्दुरुनी-अमलेहड़ बाया धलबाड़ी सङ्क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एटद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इस से सम्बन्धित हो सकते हैं, की जाकारी के लिए भूमि अर्जन अविस्तयम, 1894 की शारा 4 के उपवर्यों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कायों को करते के लिए सहृदय प्राधिकार देते हैं।

4. कोई भी हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाप्त, लोक निर्माण विभाग, हमीरपुर के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

1

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जिला : ऊना

तहसील : अम्ब

3703 0 00 54

3703/1 0 00 42

3704 0 01 58

3704/1 0 01 34

3705 0 04 69

3705/1/1 0 04 17

3872 0 05 63

3874 0 00 50

3875/1 0 04 27

3887/1 0 00 37

3888 0 00 53

3911/1 0 04 44

3912/1 0 00 90

3922/1 0 00 18

3923/1 0 00 88

3929/1 0 00 09

3934/1 0 00 87

3938/1 0 01 12

3943/1 0 01 53

3944/1 0 00 50

3945 0 05 30

3946 0 05 28

3947 0 02 34

3948/1 0 00 27

3950 0 03 40

3951 0 01 70

3949 0 02 97

कित्ता .. 51 0 85 32

1	2	3	4	5	*इंहर-निकलाधाट सड़क के निर्माण हेतु।
1433	0	00	50		संख्या लो० नि० (ब) 7(1)-48/89. शिमला-2, 5 मई, 1989.
1433/1	0	01	51		
1434/1	0	02	02		
1436/1	0	00	12		
1438	0	00	72		
1439	0	00	24		
1440	0	00	15		
1441/1	0	00	48		
1435/1	0	06	37		
1447	0	00	36		
1450/1	0	00	30		
1451/1	0	00	60		
1455/1	0	00	60		
कित्ता ..	17	0	23	49	

यहतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत द्वेष्टा है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन हेतु नाम्रत* भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिस्थेत में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त* प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बद्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संस्थापाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सहृदयाकार देते हैं।

4. कोई भी ऐसा हितवद्ध व्यक्ति, जिसे उक्त परिस्थेत में कथित मूर्मि के अर्जन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी के समक्ष अपनी आपत्ति दायर कर सकता है।

*लडभडोलक-उडापतन सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1)-24/89.

शिमला-2, 5 मई, 1989

विवरणी

जिला : मण्डी

तहसील : जोगिन्द्रनगर

गांव 1	खसरा नं० 2	क्षेत्र			कित्ता .. 9
		बी०	बि०	विस्वां 3 4 5	
नेरी कोटला	963/1	0	8	8	
	948/1/1	0	4	8	
	948/1	0	10	8	
	1055/1	0	1	8	
कित्ता ..	4	1	4	12	

1	2	3	4	5
चनोल	163/1	0	3	7
	152/2/1	0	4	7
	138/2/1	0	6	8
	165/2/1	0	13	10
	164/2/1	0	9	18
कित्ता ..	5	1	17	10

*चक्रकरपुल के लिए सम्पर्क सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1)-104/87. शिमला-2, 5 मई, 1989.

तहसील : मदर	कित्ता ..	14	2	18	11
चण्डयाल	335/1	0	11	16	
	338/1	0	4	1	
	326/1	0	3	10	
	325/1	0	3	12	
	324/1	0	1	4	
	323/1	0	2	8	
	322/1	0	3	4	
	320/1	0	3	4	
	319/1	0	3	4	
	315/1	0	5	12	
	313/1	0	6	8	
	312/1	0	0	8	
	303/1	0	2	4	
	124/1	0	7	16	
कित्ता ..	14	2	18	11	

*बालकरुपी-बनैत सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1)-16/89. शिमला-2, 11 मई, 1989.

तहसील : जोगिन्द्रनगर

सुदर	कित्ता ..	9	2	8	19
1076/1068/1035/1		0	16	18	
1051/1037/45/1		0	9	1	
1051/1037/45/2		0	1	10	
147/1/1		0	1	13	
47/1		0	0	16	
858/1		0	0	14	
145/1		0	1	16	
146/1		0	1	0	
1036/45/1		0	18	2	
मसोली/					
333					
192/1		0	2	2	
192/2		2	17	8	
192/3		3	12	7	
215/1		1	1	8	
191/1		4	8	15	
788/748/1		0	0	12	
788/748/2		0	18	7	

1	2	3	4	5
193/1		0	7	16
213		0	1	6
214		0	1	17
कित्ता ..	10	13	6	18

कोसल	461/1	0	4	12
	177/1	0	5	18
	176/1	0	1	18
	174/1	0	0	9
	167/1	0	0	2
	169/1	0	3	15
	178/1	0	2	8
	465/40/1	0	1	3
	462/135/1	0	1	13
	179	0	4	18
	175/1	0	0	12
कित्ता ..	11	1	7	8

*पण्डार-तत्त्वापानी सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1) 31/89. शिमला-2, 11 मई, 1989.

तहसील : करसोग

मरहडा	947/1	0	6	2
	950/1	0	0	2
कित्ता ..	2	0	6	4
	—			

*अनन्त-पाली सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1) 41/89.

शिमला-171002, 11 मई, 1989.

तहसील : सदर

बलैरन	55	0	1	11
	57/1	0	1	5
	57/2	0	3	3
	54/1	0	3	6
	56/2	0	6	6
	58/1	0	14	15
	61/1	0	2	16
कित्ता ..	7	1	13	2

*पलासी-समेला-तिकालधाट सड़क के निर्माण हेतु।

संख्या लो० नि० (ब) 7(1) 23/89.

जिला : मण्डी	विवरणी	शिमला-2, 11 मई, 1989.
गांव	खसरा नं०	तहसील : बलदवडा
1	2	3 4 5
बडाही	647/104/1	0 00 76
कित्ता ..	1	0 00 76

शिमला-171002, 11 मई, 1989

संख्या लो० नि० (ब) 7(1)-36/89.—यह: हिमाचल प्रदेश को राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामत: गांव सलोगड़ा, तहसील व जिला सोलन में सोलन बाईपास सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा की निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इस से सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी व्यक्तियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेषण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कांथों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लोक निर्माण विभाग, सोलन के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : सोलन	तहसील : सोलन	
गांव	खसरा नं०	क्षेत्र मीटरों में
1	2	3
सलोगड़ा	1479/11911 1481/119	247 198
कित्ता ..	2	445

शिमला-171002, 11 मई, 1989

संख्या लो० नि० (ब) 7(1) 47/89.—यह: हिमाचल प्रदेश को राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामत: गांव हटली, तहसील नूरपुर, जिला कांगड़ा में हटली-रियाली वाया बड़सर सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा की निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी व्यक्तियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवास करने

तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहृदय प्राधिकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के ग्रंजन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के 30 दिनों की अवधि के भीतर लिखित रूप में भू-ग्रंजन अमाहर्ता, लोक निर्माण विभाग, हमीरपुर के समक्ष आपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : कांगड़ा

तहसील : नूरपुर

गांव 1	खसरा नं 0 2	क्षेत्र हैक्टेयरों में			तहसील : नूरपुर
		3	4	5	
हटली	603/1	0	01	20	
	607/1	0	00	24	
	605/1	0	00	72	
	606/1	0	01	40	
	604	0	18	62	
	106/1	0	03	10	
	623/1-2	0	01	04	
	621/1	0	01	34	
	620	0	05	72	
	612/1	0	00	36	
	619/1	0	00	61	
	615/1	0	00	75	
	618	0	01	30	
	626/1	0	00	52	
	627/1	0	00	04	
	617/1	0	01	76	
	635/1	0	01	62	
	634	0	07	72	
	630/1	0	02	15	
	715	0	02	50	
	707/1	0	00	96	
	729/2/1	0	00	16	
	729/1	0	01	80	
	732/1	0	06	49	
	734/1	0	03	92	
	736/1	0	00	08	
	735/1	0	02	72	
	746/1	0	01	70	
	747/1	0	00	19	
	761/1	0	00	13	
	760/1	0	04	15	
	759/1	0	00	96	
	758/1	0	00	54	
	748/1	0	04	02	
कित्ता ..	34	0	80	53	
मैगलपीर	5/1	0	15	49	
कित्ता ..	1	0	15	49	

शिमला-2, 11 मई, 1989

संख्या लो0 नि0 (ख) 7(1) 42/89.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर खार्बजिनि प्रयोजन नामतः गांव वानु और उलेड़, तहसील भटियात, जिला चम्पा में ढलोग-भागधार-चम्पी सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है। उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इस से सम्बन्धित हो सकते हैं की जानकारी के लिए भूमि ग्रंजन अधिनियम, 1894 की धारा 4 के उपवन्दों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यस्थल सभी अधिकारियों, उनके कर्मचारियों और अधिकारियों को इताके की तरीकी से भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित दायर कर सकता है।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के ग्रंजन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने की तीस दिनों की अवधि के भीतर लिखित रूप में भू-ग्रंजन समाहर्ता, लोक निर्माण विभाग, चम्पा के ममक आपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : चम्पा

तहसील : भटियात

गांव 1	खसरा संख्या 2	क्षेत्र घो 0 घि 0		तहसील : भटियात
		3	4	
वानू	216/1	0	1	
	217/1	0	9	
	221/1	0	9	
	222/1	0	6	
	223/1	0	7	
	225/1	0	3	
	245/1	0	7	
	246/1	0	6	
	248/1	0	8	
	253/1	0	9	
	260/1	0	5	
	269/1	1	2	
	270/1	0	16	
	290/1	0	5	
	292/1	0	1	
	293/1	0	13	
	294/1	0	17	
	295/1	0	8	
	301/1	0	6	
कित्ता ..	19	7	18	
उलेड़	1/1	1	9	
	3/1	0	9	
	33/1	0	3	
	33/2	0	10	
	34	0	4	
	35	0	10	
	39/1	0	3	
	158/1	0	14	
कित्ता ..	8	4	2	

शिमला-2, 11 मई, 1989

संख्या लो0 नि0 (ख) 7(1) 30/89.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर खार्बजिनि प्रयोजन हेतु नामतः गांव वानु और उलेड़, तहसील भटियात, जिला शिमला में अदालत-बशला सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है। उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के ग्रन्तीयत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा मर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता (1), लोक निर्माण विभाग, शिमला-2 के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : शिमला

सौजन्य/प्राम	खसरा नं 0	तहसील : रोहड़				
		क्षेत्र				
1	2	3	4	5		
वशला	309	0	02	02		
	305	0	01	70		
	306	0	02	75		
	333	0	01	20		
	304	0	17	04		
किता ..	5	0	24	71		

आदेश द्वारा,
हस्ताक्षरित,
आयुक्त एवं सचिव।

शिमला-171002, 11 मई, 1989

संख्या लो० नि० (ख) ७(१) ५८/४४.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव पवाबो, तहसील व जिला शिमला में डूसी लिंक सड़क के निर्माण हेतु भूमि अर्जित करनी आपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन आपेक्षित है।

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अधिक्षेत्रों और जिला भैजिस्टेटों द्वारा अधिसूचनाएं इत्यादि

शून्य

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशियल कमिशनर तथा कमिशनर लाफ इन्क्रम टेक्स द्वारा अधिसूचित आदेश इत्यादि

वित्त विभाग

(संस्थागत वित्त एवं लोक उद्यम)

अधिसूचना

शिमला-171002, 12 दिसम्बर, 1988

संदेश वित्त आर्ड० एफ० (वी०) २-१/८३.—हिमाचल प्रदेश के राज्यपाल, भारत के सर्वियान के अनुच्छेद ३०९ के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से सलन उपायन के अनुसार हिमाचल प्रदेश वित्त (संस्थागत वित्त एवं लोक उद्यम) विभाग में लाप्य ६००—११२० के वेतनमान में सहायक (वर्ग-३ अराजपत्रित) पद के लिए भर्ती एवं प्रोनन्ति नियम बनाते हैं, अर्थात् :—

संवित नाम और प्रारम्भ.—(१) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश वित्त (संस्थागत वित्त एवं लोक उद्यम) विभाग सहायक (वर्ग-३ अराजपत्रित) भर्ती एवं प्रोनन्ति नियम, 1988 है।

(२) ये नियम हिमाचल प्रदेश राजपत्र में प्रकाशित किए जाने की सारी खेत्र से प्रवृत्त होंगे।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अधीन जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा मर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितबद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता (१), लोक निर्माण विभाग, विटर पील्ड, शिमला-३ के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणों

जिला : शिमला

गंव	खसरा नं ०	तहसील : शिमला	
		वी०	वि०
१	२	३	४
पवाबो	110	4	18
	111	0	3
	112	0	12
	113	0	9
	114	0	4
	117	0	14
	118/२	4	19
	128/118 मिन	29	13
	128/118 "	5	7
	128/118 "	0	12
	128/118 "	5	0
	128/118 "	5	15
	127/118 "	0	5
	119	1	2
किता ..	14	59	13

आदेश द्वारा,
हस्ताक्षरित,
सचिव।

वित्त (संस्थागत वित्त एवं लोक उद्यम) विभाग, हिमाचल प्रदेश में सहायक के पद के लिए भर्ती एवं प्रोनन्ति नियम

- पद का नाम सहायक।
- पदों की संख्या दो।
- वर्गीकरण तृतीय श्रेणी (अराजपत्रित)।
- वेतनमान रु 600-20-700/25-850/30-1000/40-1120।
- चयन पद अथवा अन्यथन पद अन्यथन पद।
- सीधी भर्ती किए जाने वाले व्यक्तियों के लिए आयु। लागू नहीं है।
- सीधी भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अहंताएं। लागू नहीं है। वार्षीय अहंताएँ : हिमाचल प्रदेश की रुद्धियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए युक्त।

8. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हताएं प्रोन्नति की दशा में लागू होंगी या नहीं।
9. परिवीक्षा की अवधि, यदि कोई हो।

10. भर्ती की पद्धति—भर्ती सीधी होंगी या प्रोन्नति या प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली विकल्पों की प्रतिशतता।

11. प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियाँ, जिनसे प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण किया जायेगा।

आयु : लागू नहीं है।
शैक्षिक अर्हताएं : लागू नहीं है।

- दो वर्ष, जिसका एक वर्ष से अधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सम्म प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।
- 100 प्रतिशत पदोन्नति द्वारा, ऐसा न होने पर प्रतिनियुक्ति स्थानान्तरण द्वारा।

प्रारम्भिक अवस्था में यह पद उन व्यक्तियों में से भरा जाएगा जो सहायक के पद पर प्रतिनियुक्ति पर हैं तथा अन्तर्लंबन (Absorption) का विकल्प रखते हैं तथा तदोपरान्त उन विकल्पों में से जिनका उसी वर्ग में पांच वर्ष की नियमित या यदि 31-12-1983 तक निरन्तर सिविल नियमित के साथ निरन्तर समर्पित सेवा हो। ऐसा न होने पर अन्य सरकारी विभागों में सम्मक्ष पदों पर लोक कर्मचारियों में से प्रतिनियुक्ति/स्थानान्तरण द्वारा।

टिप्पणी-1. प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व संभरण पद में 31-12-1983 तक की गई तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन विकल्पों में यथा विहित सेवाकाल के लिए, निनालिहित शर्तों के अधीन रहते हुए, गणना में ली जायेगी।

(क) उन सभी मामलों में जिन में कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-12-1983 तक की गई तदर्थ सेवा को शामिल करके) के आधार पर उपयुक्त नियमित उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है; वहां उससे विरिच्छ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जायेंगे :

परन्तु उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, के पास कम से कम तीन वर्ष की व्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी :

परन्तु यह और भी कि, जहां कोई व्यक्ति पूर्वामी पन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपाव हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपाव समझा जायेगा।

(ख) इसी प्रकार, स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व, 31-12-1983 तक

की गई तदर्थ सेवा, यदि कोई हो; सेवाकाल के लिए गणना में ली जायेगी :

परन्तु स्थायीकरण के परिणामस्वरूप, तदर्थ सेवा को गणना में लेकर पारस्परिक ज्येष्ठता प्रतिवर्तित खींची।

(ग) 31-12-1983 के पश्चात् की गई तदर्थ सेवा, प्रोन्नति/स्थायीकरण के प्रयोजन के लिए गणना में नहीं ली जायेगी।

टिप्पणी-2-जब कमी नियम 2, के अधीन पदों में बढ़ोत्तर होती है, तो नियम 10 और 11 के उपवर्ध, सरकार द्वारा, लोक सेवा आयोग के परामर्श से, पुनरीक्षित किए जायेंगे।

12. यदि विभागीय प्रोन्नति जैसी कि सरकार द्वारा समय-समय पर समिति विद्यमान हो, गठित की जाए। तो उसकी मंत्रवन्ता।

13. भर्ती करने में, जिन जैसा कि विधि द्वारा अपेक्षित हो : परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श लिया जायेगा।

14. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जन-जातियों/पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए मेवाओं में आरक्षण की वावत जारी किए गए आंदोलों के अधीन होंगी।

15. शिथिल करने की शक्ति

जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां यह कारणों को अधिलिहित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की वावत शिथिल कर सकती।

[Authoritative English Text of this Department Notification No. Fin. IF(B)2-11/83, dated the 12th December, 1988, as required under clause 3 of Article 348 of the Constitution of India.]

Shimla-171002, the 12th December, 1988

No. Fin. IF(B) 2-11/83.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Assistant (Class-III Non-Gazetted) in the pay scale of Rs. 600—1120 in the Finance (Institutional Finance and Public Enterprises) Department as per Annexure attached to this notification, namely:—

Short title and commencement.—(1) These rules may be called the Himachal Pradesh Finance (Institutional Finance and Public Enterprises) Department, Assistant (Class-III Non-Gazetted) Recruitment and Promotion Rules, 1988.

(2) These Rules shall come into force from the date of publication in H. P. Rajapatra.

ANNEXURE

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT IN THE DEPARTMENT OF FINANCE (INSTITUTIONAL FINANCE AND PUBLIC ENTERPRISES) HIMACHAL PRADESH

1. Name of the post	Assistant.
2. Number of posts	Two.
3. Classification	Class-III (Non-Gazetted).
4. Scale of pay	Rs. 600-20-700/25-850/30-1000/40-1120.
5. Whether selection or non-selection post.	Non-selection.
6. Age for direct recruitment.	Not applicable.
7. Minimum educational and other qualifications required for direct recruits.	Not applicable. <i>Desirable :</i> Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
8. Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees.	Age: Not applicable. Educational Qualification: N.A.
9. Period of probation, if any.	Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.	100% by promotion failing which by deputation.
11. In case of recruitment by promotion, deputation/transfer, grades from which promotion/deputation/transfer is to be made.	Initially by absorption of incumbents taken on deputation as Assistants on the basis of option and thereafter by promotion from amongst the Clerks having 5 years of continuous regular service combined with <i>ad hoc</i> service rendered upto 31-12-1983) if any, in the grade. Failing which by deputation/transfer from officials holding equivalent post in other departments of the Government.

Note 1.—In all cases of promotion, *ad hoc* service rendered in the feeder post upto 31-12-1983, if any, prior to the regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition:

(a) That in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post. In view of the provisions referred to above, all persons senior to him in the

respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of considerations:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

(b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983, if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that the inter-se seniority as a result of confirmation after taking into account *ad hoc* service shall remain unchanged,

(c) *Ad hoc* service rendered after 31-12-1983 shall not be taken into account for confirmation/promotion purposes.

Note 2.—Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rule 2 are increased.

As may be constituted by the Government from time to time.

As required under the law.

12. If a Departmental Promotion Committee exists, what is its composition.
13. Circumstances under which the H. P. P.S.C. is to be consulted in making recruitment.
14. Reservation

15. Power to relax

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/other categories of persons issued by the H.P. Government from time to time.

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.

By ord
M. K. KAW,

Financial Commissioner-cum-Secretary

वन खंडी एवं संरक्षण विभाग

अधिसूचना

शिमला-171002, 30 मार्च, 1989

संख्या एक० टी० १ ए (३) ३/८६-पट्ट-१.—हिमाचल प्रदेश राज्यपाल, भारत के संविधान के अनुच्छेद ३०९ के परन्तक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक संघ आयोग के परामर्श से, वन खंडी एवं संरक्षण विभाग, हिमाचल प्रदेश में अर्थशास्त्र (राजपत्रित वर्ण-१) के पद के लिए, इस अधिसूचना से लेकर उपोबन्ध "अ" के अनुसार भर्ती एवं प्रोत्त्रति नियम बनाते हैं अधारतः—

संक्षिप्त नाम और प्रारम्भ—(१) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश वन खंडी एवं संरक्षण विभाग अर्थशास्त्री (वर्ण-१) राजपत्रित भर्ती एवं प्रोत्त्रति नियम १९८९ है।

(२) यह नियम तुरन्त प्रवृत्त होंगे।

वन खंडी एवं संरक्षण विभाग, हिमाचल प्रदेश में अर्थशास्त्री के पद के लिए भर्ती एवं प्रोत्त्रति नियम

	अर्थशास्त्री ।
१. पद का नाम	एक ।
२. पदों की संख्या	वर्ण-१ (राजपत्रित)
३. वर्गीकरण	स्थान ९४०-३०-१०००/४०-१२००/५०-१४००/६०-१७०० - ७५-१८५० ।
४. वेतनमात्र	
५. चयन पद अथवा अचयन पद	लागू नहीं।
६. सीधी भर्ती किए जाने वाले ४५ वर्ष या इससे कम व्यक्तियों के लिए आयु :	

परन्तु सीधी भर्ती के लिए आयु सीमा, तदर्थ या संविदा पर नियुक्ति सहित, पहले ही सरकार की सेवा में रत अभ्यर्थियों पर लागू नहीं होगी :

परन्तु यह और कि यदि तर्द्ध आधार पर नियुक्ति किया गया अभ्यर्थि इस रूप में नियुक्ति की तारीख को अधिकवय हो गया हो तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में शिथलीकरण के लिए पाव नहीं होगा :

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जन जातियों तथा अन्य वर्गों के व्यक्तियों के लिए उच्चतम आयु सीमा में उतनी ही शिथलीकरण किया जा सकता जितना कि हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञय है :

परन्तु यह और भी कि पब्लिक सेक्टर तथा नियमों स्वायत निकायों के सभी कमचारियों को, जो ऐसे पब्लिक सेक्टर नियमों तथा स्वायत निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सेक्टर नियमों/स्वायत निकायों में अपेलन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा म ऐसी ही रियायत दो जायगी जैसी सरकारी कमचारियों को अनुज्ञय है किन्तु

इस प्रकार की रियायत पब्लिक सेक्टर नियमों तथा स्वायत निकायों के ऐसे कमचारी द्वारा को नहीं दी जायेगी जो पश्चातवर्ती ऐसे नियमों तथा स्वायत निकायों द्वारा नियुक्त किए गए थे/किये गये हैं और उन पब्लिक सेक्टर नियमों/स्वायत निकायों के प्रारम्भिक गठन के पश्चात ऐसे नियमों/स्वायत निकायों की सभा में अन्तिम रूप से आमेलित किए गए थे/किए गए हैं।

टिप्पणी-१.—सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिन में को जायेगा जिसमें आवृद्धन द्वारा आरंभित करने के लिए यथास्थिति पद विहित पद विहित या नियोजनात्मकों को अधिसूचित किए गए थे ।

टिप्पणी-२.—अन्यथा मुग्धहित अभ्यर्थियों को दशा में सीधा भर्ती के लिए आयु सीमा और अन्य आयु आयोग के विवेकानुसार जारीखल किया जा सकेगा ।

७. सीधी भर्ती किए जाने वाले अनिवार्य : व्यक्तियों के लिए अपेक्षित (१) मानवना प्राप्त विवर-न्यूनतम शैक्षणिक और अन्य विद्यालय में अर्थ शास्त्र/वाणिज्य/गणित/कृषि अर्थ शास्त्र में कला निष्ठाओं की उपाधि या इसके समतुल्य ।

(२) विकास के विभिन्न पहलुओं में फोल्ड अन्वेषण का रूपांकन, कार्यान्वयन तथा मूल्यांकन करने का कम से कम पांच वर्ष का अनुभव ।

वांछनीय अर्हताएँ :—

(१) ग्राम्य समाज शास्त्र या सांभिकी सहित अर्थशास्त्र में सनातनीतर को उपाधि के द्वारकों को अधिमान दिया जाएगा ।

(२) हिमाचल प्रदेश को सहियों, रीतियों और वालियों का ज्ञान और प्रदेश में विवाहन विशिष्ट दणाओं में नियुक्ति के लिए उपयुक्तता ।

८. सीधी भर्ती किए जाने वाले लागू नहीं होने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हताएँ प्रोत्त्रति की दशा में लागू होगी या नहीं ।

९. परिवीक्षा की अवधि, यदि कोई हो ।

दो वर्ष, जिसका एक वर्ष से प्रतिविधि ऐसे और अवधि के लिए विस्तार किया जा सके गा जसा सक्षम प्रांतिकारी विशेष परिस्थितियों में और नियित कारणों में आदेश दें ।

१०. भर्ती की पद्धति, भर्ती सीधी होनी या प्रोत्त्रति या प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली शक्तियों की प्रतिशतता ।

११. प्रोत्त्रति, प्रतिनियुक्ति या केन्द्रीय सरकार/हिमाचल प्रदेश स्थानान्तरण की दशा में श्रैणियों सरकार के अधीन अर्थशास्त्री के

जिसने प्रोत्त्रति प्रतिनियुक्ति या समर्पण पद धारकों में से प्रोत्त्रति स्थानान्तरण किया जाएगा। द्वारा।

टिप्पणी:- 1. प्रोत्त्रति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व संभरण पद में 31-12-1983 तक की गई तदर्थ सेवा, यदि कोई हो प्रोत्त्रति के लिए इन नियमों में यथा-विहित सेवा काल के लिए निम्नलिखित शर्तों के अधीन रहते हुए, गणनामें ली जाएगी :—

(क) उन सभी मामलों में जहाँ कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवा काल (31-12-1983) तक की गई तदर्थ सेवा को शामिल करने के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार के लिए पात्र हो जाता है, वहाँ उससे वरिष्ठ सभी व्यक्ति विचार के लिए पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जायेंगे।

परन्तु यह और कि, जहाँ कोई व्यक्ति पूर्वगमी परन्तुकी अपेक्षा अपेक्षा के कारण प्रोत्त्रति के विचार के लिए अपात हो जाता है वहाँ उससे कनिष्ठ व्यक्ति भी ऐसी प्रोत्त्रति के विचार के लिए अपात समझा जाएगा।

(ख) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-12-1983 तक की गई तदर्थ सेवा, यदि कोई हो, सेवा काल के लिए गणना में ली जाएगी :

परन्तु स्थायीकरण के परिणाम स्वरूप तदर्थ सेवा को हिसाब में लेकर पारस्परिक उच्छिता अपरिवर्तित रहगी।

(ग) 31-12-1983 के पश्चात् की गई तदर्थ सेवा प्रोत्त्रति स्थायीकरण के प्रयोजन के लिए गणना में नहीं ली जाएगी।

टिप्पणी:- 2 जब कभी नयम 2 के अनुसार पदों में वडोतरी होती है तो नियम 10 और 11 के उपबन्ध, सरकार द्वारा लोक सेवा आयोग के परामर्श में, पुनरीक्षित किए जाएंगे।

12. यदि विभागीय प्रोत्त्रति समिति जैसा कि सरकार द्वारा समय-समय विद्यमान हो, तो उसकी संरचना। पर गठित की जाए।

13. भर्ती करने में जित परिस्थितियों जैसा कि विविध द्वारा अपेक्षित है। में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा।

14. सीधी भर्ती किए जाने वाले किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी निम्नलिखित अवश्य होना चाहिए :—

- (क) भारत का नागरिक, या
- (ख) नेपाल की प्रजा, या
- (ग) भूटान की प्रजा, या
- (घ) तिब्बती शरणार्थी जो एक जनवरी 1962 से पूर्व भारत

में स्थायी निवास के आशय से आया हो।

(ड) भारतीय मूल का कोई व्यक्ति जिसने पाकिस्तान, वर्मा, श्री लंका, पूर्वी अफ्रीका के देशों, या किंग्या, युगान्डा, यूनाइटेड रिपब्लिक श्राफ तजानिया (पहले तांगनिका), जंजीवार, इवोरीया से भारत में स्थायी निवास के आशय से प्रवास किया हो:

परन्तु प्रवर्ग (ख), (ग), (घ) और (इ) के अन्यथा ऐसे व्यक्ति होंगे जिनके पक्ष में भारत सरकार द्वारा पात्रता प्रमाण-पत्र जारी किया गया हो ऐसे अभ्यर्थी को, जिनके मामले में पात्रता का प्रमाण-पत्र आवश्यक हो, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा मंचालित परीक्षा/साक्षात्कार में प्रवेश किया जा सकेगा किन्तु उसे नियुक्ति का प्रस्ताव भरत सरकार द्वारा उसे पात्रता का अपेक्षित प्रमाण-पत्र जारी किए जाने के बाद ही दिया जाएगा।

15. सीधी भर्ती द्वारा पद पर परन्तु नियुक्ति के लिए चयन, गोखिक परीक्षा के आधार पर और यदि व्यास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा मंचालित परीक्षा/साक्षात्कार में प्रवेश किया जा सकेगा किन्तु उसे नियुक्ति का प्रस्ताव भरत सरकार द्वारा उसे पात्रता का अपेक्षित प्रमाण-पत्र जारी किए जाने के बाद ही दिया जाएगा।

सीधी भर्ती के मामले में पद पर नियुक्ति के लिए चयन, गोखिक परीक्षा के आधार पर और यदि व्यास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा मंचालित परीक्षा के आधार पर किया जाएगा कि जिसके लिए चयन, गोखिक परीक्षा/साक्षात्कार या व्यावाहिक परीक्षा के आधार पर किया जाएगा तो लिखित परीक्षा समेत तम समझे, तो लिखित परीक्षा या व्यावाहिक परीक्षा के आधार पर किया जाएगा तो लिखित परीक्षा स्वतंत्र या अन्य भर्ती प्राधिकरण द्वारा अवधारित किया जायेगा।

16. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों अनुसूचित जनजातियों/पिंडडे वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की बाबत जारी किए गए आदेशों के अधीन होंगी।

17. विभागीय परीक्षा

(क) सेवा में प्रत्येक सदस्य को समय-समय पर यथा संशोधित विभागीय परीक्षा नियम, 1976 में यथा विहित विभागीय परीक्षा पास करनी होगी, अन्यथा वह निम्नलिखित के लिए पात्र नहीं होगा :—

(1) आगामी देव दक्षतारोध पार करने के लिए,

(2) परिवीक्षा अवधि के पूर्व हीने के बाद स्थायीकरण के लिए, और

(3) अगले उच्चतर पद पर प्रोत्त्रति के लिए :

परन्तु उस अधिकारी से जिसने इन नियमों के अवधूचित किए जान से पूर्व किन्हीं अन्य नियमों के अधीन पूर्णतः या अशतः विभागीय परीक्षा पास की है, यथास्थिति, पूर्णतः/

श्रेष्ठः परीक्षा पास करने की अवधि नहीं की जाएगी :

परन्तु यह और कि ऐसे अधिकारी से जिसके लिए इन नियमों के अधिसूचित किए जाने से पूर्व कोई विभागीय परीक्षा विहित नहीं की गई थी और जिसने 1976 को 45 वर्ष की आयु प्राप्त कर ली है, उससे इन नियमों के अधीन विहित विभागीय परीक्षा पास करने की अवधि नहीं की जाएगी ;

परन्तु यह और भी ऐसे अधिकारी से जिसके लिए, इन नियमों के अधिसूचित किए जाने से पूर्व कोई विभागीय परीक्षा विहित नहीं की गई थी और जिसने मार्च, 1986 को 45 वर्ष की आयु प्राप्त की थी उससे 50 वर्ष की आयु के पश्चात् निम्नलिखित प्रयोजनों के लिए विभागीय परीक्षा पास करने की अवधि नहीं की जायेगी : —

(1) आगामी देव दशनांतोदय पार करने के लिए, और

(2) परिवीक्षा अवधि पूर्ण होने के पश्चात् स्थायीकरण के लिए ।

(3) किसी अधिकारी से अपनी प्रोत्तरी की सीधी नियमित मउच्चतर पद पर प्रोत्तरि पर विभागीय परीक्षा पास करने की अवधि नहीं की जाएगी, यदि उसने निम्नतर राजपत्रित पद पर ऐसी परीक्षा पहले ही पास कर ली है ।

3. सरकार, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, असाधारण परिस्थितियों और कारणों को अधिलिखित करके विभागीय परीक्षा नियमों के अनुसार किसी वर्ग या प्रवर्ग के व्यक्तियों को विभागीय परीक्षा में पूर्णतः या अश्वः छूट मजूर कर सकेगी, परन्तु यह तब जबकि ऐसे अधिकारी पर उसकी अधिवर्णिता की आयु प्राप्त करने की तारीख से पूर्व किसी अन्य उच्चतर प्रोत्तरि के लिए विचार किया जाना सम्भाव्य नहीं होगा ।

जहाँ राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, तो वह कारणों को अधिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से आदेश द्वारा नियमों के किन्हीं उपकरणों को किसी वर्ग/व्यक्तियों के प्रवर्ग या पदों की वावत चिह्नित कर सकती ।

आदेश द्वारा,
हस्ताक्षरित/-
सचिव ।

18. चिह्नित करने की शर्ति

[Authoritative English text of this Department notification No. Fts. (1) A (3)-3/86-Part-I, dated 30-3-89 as required under clause (3) of Article 348 of the Constitution of India is hereby published.]

NOTIFICATION
Shimla-2, the 30th March, 1989

No. Fts.(1) A (3)-3/86-Part-I.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of

India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment & Promotion Rules for the post of Economist (Gazetted Class-I) in the Department of Forest Farming and Conservation, Himachal Pradesh as per Annexure attached to this notification, namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Himachal Pradesh Forest Farming and Conservation Department Class-I (Economist) Recruitment and Promotion Rules, 1989.

(2) These shall come into force with immediate effect.

RECRUITMENT & PROMOTION RULES FOR THE POST OF ECONOMIST IN THE DEPARTMENT OF FOREST FARMING AND CONSERVATION HIMACHAL PRADESH

1. Name of the post	Economist.
2. Number of posts	One
3. Classification	Class-I (Gazetted)
4. Scale of Pay	Rs. 940-30-1000/40-1200/ 50-1400/60-1700-75-1850.
5. Whether selection post or non-selection Post.	Not applicable
6. Age for direct recruitment	45 years and below:

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis and become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment :

Provided further that upper age relaxable for scheduled castes/scheduled tribes/ other categories of persons to the extent permissible under the general or special order of the Himachal Pradesh Government :

Provided further that the employees of all the public sector corporations and autonomous bodies who happened to be Government servant before absorption in Public Sector Corporation Autonomous bodies at the time of initial constitution of such Corporation/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently approved by such corporation/autonomous bodies and are/were finally absorbed in the service of such corporation/autonomous bodies after initial constitution of the public sector corporations/autonomous bodies.

Note-1.—“Age Limit for direct recruitment will be reckoned on the first day of the year in which the

posts are advertised or notified to the Employment Exchanges as the case may be".

Note-2.—Age and experience in the case Direct recruitment relaxable at the discretion of the Himachal Pradesh Public Service Commission, in the case of the Candidates, otherwise, well qualified.

Essential :

(i) A Master's degree in Economics/Commerce/Mathematics/ Agricultural Economics from a recognised university or its equivalent.

(ii) Atleast 5 years experience of designing and carrying out field investigations in different aspect of development and evaluating the same.

Desirable qualifications :

(i) Preference will be given to person holding post graduate degree in Economics with Rural Sociology or Statistics as one of the optional subject.

(ii) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

Age }
E. Q. } N. A.

8. Whether age and educational qualification prescribed for direct recruits will apply in the case of the promotores.

9. Period of probation, if any.

10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.

11. In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation/transfer is to be made.

12. If a Departmental Promotion Committee exists, What is its composition.

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.

14. Essential Requirements for a direct recruits.

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

By direct recruitment failing which by deputation.

By deputation of an economist holding an equivalent post under Central/State Government of Himachal Pradesh.

N.A.

As required under the law.

A candidate for appointment to any service or post must be:—

(a) a citizen of India, or

(b) a subject of Nepal, or

(c) a subject of Bhutan, or

(d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India.

(e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries, or Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India;

Provided that a candidate belonging to categories (b) (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment to the post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of *viva voce* test, if the Himachal Pradesh Public Service Commission or other recruiting authority as the case may be, consider necessary or expedient by a written test or a practical test, the standard/syllabus etc. of which will be determined by the Commission/other recruiting authority a the case may be.

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the services for scheduled castes/scheduled tribes/backward classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination.

(1) Every member of the service shall pass a departmental examination

as prescribed in the Departmental Examination Rules, 1976 within the probation period or within two years from the notification of these rules, whichever is later, failing which he shall not be eligible to.

- (i) Cross the efficiency bar next due;
- (ii) confirmation in the service even after completion of probationary period; and
- (iii) Promotion to the next higher post:

Provided that an officer who has qualified Departmental Examination in whole or in part prescribed under any rules before the notification of these rules shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further than an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976 shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purpose of (i) crossing of efficiency bar next due, and (ii) confirmation in the services after completion of probationary period.

(2) An officer on promotion to higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

3. The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the departmental examination rules to any class or category of persons from the Departmental Examination in whole or in part provided that such officer is not likely to

18. Power to relax

be considered for promotion before the date of his Superannuation.

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing an in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or posts.

By order,
S. S. SIDHU,
Secretary.

गृह विभाग
अधिसूचना

शिमला-2, 13 अक्टूबर, 1987

सं0होम बी0 (ए) 2-6/87.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के प्रत्यक्षठेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और हिमाचल प्रदेश लोक सेवा आयोग से परामर्श से हिमाचल प्रदेश अभिशमन सेवा विभाग में इस अधिसूचना से संलग्न उपावच्च “क” के अनुसार मुख्य फायरमैन के पद के लिए भर्ती और प्रोन्नति नियम बनाते हैं, अथवा :

1. सक्षिप्त नाम और प्रारम्भ—(1) इन नियमों का सक्षिप्त नाम हिमाचल प्रदेश अभिशमन सेवा विभाग मुख्य फायरमैन भर्ती और प्रोन्नति नियम, 1987 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. पदों की संख्या, वर्गीकरण, वेतनमान, अर्हताएं और भर्ती की पद्धति—हिमाचल प्रदेश अभिशमन सेवा विभाग में मुख्य फायरमैन के पदों की संख्या, वर्गीकरण, वेतनमान, अर्हताएं और भर्ती की पद्धति ऐसी होगी जैसी उपावच्च “क” में विविदिष्ट है।

3. निरसन और व्यावृति—इस विभाग की अधिसूचना संख्या 7-4/66 होम (बी0), तारीख 27 मार्च, 1984 द्वारा अधिसूचित मुख्य फायरमैन के पद के भर्ती और पदोन्नति नियम एवं द्वारा निरसित किए जाते हैं।

परन्तु ऐसे निरसन से, उक्त नियमों के प्रवृत्त प्रदर्शन या उनके अधीन की गई किसी नियुक्ति या कार्रवाई पर कोई प्रभाव नहीं पड़ेगा।

उपावच्च “क”

गृह विभाग, हिमाचल प्रदेश में मुख्य फायरमैन के पद के लिए भर्ती एवं प्रोन्नति नियम

1. पद का नाम मुख्य फायरमैन।
2. पदों की संख्या ४४८ (५६)।
3. वर्गीकरण वर्ग-३ (तकनीकी) सेवाएं।
4. वेतनमान ₹० ५२५-१५-६०० / २०-७०० / २५-८२५।

5. चयन पद अर्थवा अचयन पद अचयन।

6. सीधी भर्ती किए जाने वाले १८ से ३२ वर्ष:

व्यक्तियों के लिए आयु ।

परन्तु सीधी भर्ती के लिए आयु सीमा तद्य या संविदा पर नियुक्ति सहित, पहले ही सरकार की सेवा में रत अर्थात् परलाग नहीं होगी:

परन्तु यह और कि यदि तदर्थ आधार पर नियुक्त किया गया अर्थात् इस रूप में नियुक्ति की तारीख को अधिकत्व हो गया हो, तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में शिथिलीकरण के लिए पात्र नहीं होगा:

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जन जातियों तथा अन्य वर्गों के व्यक्तियों के लिए प्राधिकरण आयु सीमा में उतना ही शिथिलीकरण किया जा सकेगा जितना कि हिमाचल प्रदेश सरकार के साधारण या विशेष श्राद्धों के अधीन अनुज्ञेय है:

परन्तु यह और भी कि पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर निगमों/स्वायत्त निकायों में आमेलन से पूर्व तरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञय है, किन्तु इस प्रकार की रियायत पब्लिक सैक्टर निगमों/स्वायत्त निकायों के ऐसे कर्मचारीवन्द को नहीं दी जाएगी जो बाद में ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गए थे/किए गए हैं और उन पब्लिक सैक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे।

टिप्पणी-1—सीधी भर्ती के लिए आयु सीमा की गणना आयोग द्वारा आवेदन पत्र प्राप्त करने के लिए नियत अन्तिम तारीख से की जाएगी।

टिप्पणी-2—अन्यथा मुश्खित अन्यथायों की दशा में सीधी भर्ती के लिए आयु सीमा और अहंताएं आयोग के विवेकानुसार शिथिल की जा सकेगी।

7. सीधी भर्ती किये जाने वाले व्यक्तियों के लिए अपेक्षित अन्यतम जैक्सिक और अन्य अहंताएं।

(1) मान्यता प्राप्त विश्वविद्यालय/वोर्ड से कम से कम मौद्रिक पास या इसके समतुल्य या जिसके पास सेना विशेष प्रमाण-पत्र हो; और

(2) जिस ने हिमाचल प्रदेश अनियंत्रित सेवा विभाग द्वारा संचालित जिसने सरकार लोक उपकरण नगर निगम/नगरपालिका द्वारा चलाए गए दमकल केन्द्र से कम से कम 5 वर्ष मुख्य फायर मैन के रूप में कायें किया हुआ हो मुख्य फायर मैन का कोई पास किया हो।

(3) शारीरिक स्तरमान :
ऊचाई-163 सेंटी मीटर और छाती-80 सेंटी मीटर और फैलाने सहित 85 सेंटीमीटर दृष्टि-एनक के बिना 6/6 वजन-42 किलोग्राम।

(4) हिमाचल प्रदेश की रुद्धियों और बोलियों का ज्ञान प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।

8. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु : लागू नहीं।

शर्किक : लागू नहीं।

और यैक्सिक अहंताएं प्रोन्ति

की दशा में लागू होंगी या नहीं।

9. परिवेश की अवधि, यदि कोई हो।

10. भर्ती की पद्धति—भर्ती सीधी होनी या प्रोन्ति या प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली रिक्तियों की प्रतिशतता।

11. प्रोत्तिः, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियां, जिनसे पदोन्तति/प्रतिनियुक्ति या स्थानान्तरण सेवा, सहित में से 5 वर्ष का किया जाएगा।

दो वर्ष, जिसका एक वर्ष से प्राधिक ऐसी और अवधि को लिए विस्तार किया जा सकेगा जैसा सभी प्राधिकारी विशेष परिवर्तियों में और लिखित कारणों से आदेश दें।

(i) 75% (पचहतर प्रतिशत) प्रोन्ति द्वारा ऐसा न होने पर सीधी भर्ती होती होता।

(ii) 25% (पचीस प्रतिशत) सीधी भर्ती द्वारा।

फायर मैन में से प्रोन्ति द्वारा जिनकी फायर मैन के रूप में श्रेणियां, जिनसे पदोन्तति/प्रतिनियुक्ति या स्थानान्तरण सेवा, सहित में से 5 वर्ष का सेवाकाल हो।

टिप्पणी 1.—प्रोन्ति के सभी मामलों के पद पर नियमित नियुक्ति से पूर्व संभरण पद में 31-12-1983 तक की गई तदर्थ सेवा यदि कोई हो, प्रोन्ति के लिए इन नियमों में वथा विहित सेवाकाल के लिए निम्नलिखित शर्तों के अधीन रहते हुए हिसाब में ली जाएगी—

(क) उन सभी मामलों में जहां कोई कनिष्ठ व्यक्ति संभरण पद में अपने कुल सेवाकाल (31-12-1983) तक की गई तदर्थ सेवा को शामिल करके आधार पर उपर्युक्त निर्दिष्ट उपबच्यों के कारण विचार के लिए पात्र हो जाता है वहां उससे वरिष्ठ सभी व्यक्ति विचार के लिए पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे।

परन्तु प्रोन्ति के लिए विचार किए जाने वाल सभी पदधारियों की कम से कम तीन वर्ष के न्यूनतम अहंता सेवा या पद के भर्ती एवं प्रोन्ति नियमों में विहित सेवा, जो भी कम हो, होनी चाहिए :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्णांगी परतुक की अपेक्षा के कारण प्रोन्ति के लिये विचार के लिए अपात्र हो जाता है वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्ति के विचार के लिए अपात्र समझा जाएगा।

(ख) हीसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-12-83 तक की गई तदर्थ सेवा, यदि कोई हो सेवाकाल के लिए गणना में ली जाएगी :

परन्तु स्थायीकरण के परिणामस्वरूप तदर्थ सेवा को गणना में ले कर पारस्परिक ज्येष्ठता अपरिवर्तित रहेगी।

(ग) 31-12-1983 के पश्चात् की गई तदर्थ सेवा प्रोन्नति/स्थानीकरण के प्रयोजन के लिए गणना में नहीं ली जाएगी।

टिप्पणी-2—जब कभी नियम 2 के अनुसार पदों में बदलतीरी या कम्ही होती है, तो नियम 10 और 11 के उपचान, सरकार द्वारा लोक सेवा आयोग के परामर्श से पुनरीक्षित किए जाएंगे।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी समय पर गठित की जाए।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा।

14. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए इसी सेवा या पद पर नियुक्ति के आवश्यक हैः—

- (क) भारत का नागरिक, या
- (ख) नेपाल की प्रजा, या
- (ग) भटान की प्रजा, या।
- (घ) तिब्बती शरणार्थी, जो 1 जनवरी, 1962 से पूर्वी भारत में स्थायी निवास के आशय से आया हो, या
- (ड) भारतीय मूल का कोई व्यक्ति, जिसने पाकिस्तान, बर्म, श्रीलंका, पूर्वी अफ्रीका के देशों या कीनिया, युआण्डा, यूनाइटेड रिपब्लिक आफ तंजानिया (पहले तनानिका और जंजीवार), जाविया, मालवा, जेयरे और इथोपिया से, भारत में स्थायी निवास के आशय से प्रवास किया हैः

परन्तु प्रवर्ग (ख), (ग), (घ); और (ड) के अध्यर्थी ऐसे व्यक्ति होंगे जिनके पक्ष में भारत सरकार द्वारा पात्रता प्रमाण-पत्र जारी किया गया हो।

ऐसे अध्यर्थी को, जिसके मामले में पात्रता प्रमाण-पत्र आवश्यक हो, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा सचालित परीक्षा/साक्षात्कार में प्रविष्ट किया जा सकेगा, किन्तु उसे नियुक्ति का प्रस्ताव भारत सरकार द्वारा उस पात्रता का अपेक्षित प्रमाण-पत्र जारी किए जाने के पश्चात् ही दिया जायेगा।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन।

सीधी भर्ती के मामले में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर और यदि यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण ऐसा करना आवश्यक या समझे तो लिखित परीक्षा के आधार पर किया जाएगा जिसका स्तर/पार्सनल, यथास्थिति आयोग/अन्य भर्ती प्राधिकरण द्वारा निर्धारित किया जाएगा।

16. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर

17. विधिल करने की शक्ति

अनुदूषित जातियों/अनुसूचित जनजातियों/मिथडे वर्गी और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की वावत जारी किए गए आदेशों के अवधीन होती।

जहां राज्य सरकार को यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह कारणों को अभिलिखित कर के हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से आदेश द्वारा, इन नियमों में किन्तु उपचानों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की वावत विधिल कर सकेगी।

[Authoritative English Text of Notification No. Home-B(A) 2-6/87, dated 13-10-87, as required under clause (3) of Article 348 of the Constitution of India.]

Shimla-2, the 13th October, 1987

No. Home-B(A) 2-6/87.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Leading Fireman in the Department of Fire Services, Himachal Pradesh as per Annexure-A attached to this notification, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Fire Services Department for the post of Leading Firemen P&P Rules, 1987.

(2) These shall come into force from the date of publication in the Rajapatra Himachal Pradesh.

2. *Rules.*—The number of posts, classification, pay scale, qualification and methods of recruitment etc. for the post of Leading Firemen shall be as specified in the Annexure-A.

3. *Repeal and savings.*—The Recruitment and Promotion Rules for the post of Leading Fireman specified by this department notification No. 17-4/66-Home(B) 27th March, 1974, are hereby repealed provided that such repeal shall not effect the previous operation of the said rules or any appointment made or any action taken thereunder.

ANNEXURE-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF LEADING FIREMAN IN THE DEPARTMENT OF FIRE SERVICES IN THE H. P. GOVERNMENT

- | | |
|--|--------------------------------|
| 1. Name of the post | Leading Fireman. |
| 2. Number of posts | Fifty Six (56). |
| 3. Classification | Class-II (Technical) Services. |
| 4. Scale of pay | Rs. 525-15-600/20-700/25-825. |
| 5. Whether selection post or non-selection post. | Non-selection. |
| 6. Age for direct recruitment. | Between 18 and 32 years. |

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age

limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government:

Provided further that the employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in the public sector corporations/autonomous bodies at the time of initial constitution of such corporation/autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies initial constitution of the public sector corporations/autonomous bodies.

Note-1.—Age limit for direct recruitment will be reckoned from the last date fixed for receipt of applications by the Commission.

Note-2.—Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission. In case the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruits.

Essential:

- (i) At least matriculation examination from recognised University/Board or its equivalent or should possess Army Special certificate.
- (ii) Should have qualified the Leading Firemen course conducted by the Himachal Fire Service Department.
- (iii) Should have served as Fireman at least for five years in a Fire Station run by the Government Public Undertaking/ Municipal Corporation Committee.
- (iv) Height 163 cm. Chest 80 cm. with expansion upto 85 cm. eyesight 6/6 without glasses. weight 42 kg.

Desirable qualifications:

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appoint-

ment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.

9. Period of probation, if any.

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

10. Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled in by various methods.

75% by promotion, failing which by direct recruitment.

25% by direct recruitment.

11. In case of recruitment by promotion, deputation/transfer, grades from which *ad hoc* service (rendered upto 31-12-1983) as a Fireman.

*Note.—*In all cases of promotion, *ad hoc* service rendered in the feeder post upto 31-12-1983, if any, prior to the regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition:—

(a) That in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post, in view of the provisions referred to above, all persons senior to him in the respective category, post/cadre shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years that prescribed in the Recruitment and Promotion Rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

(b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983, if any, prior to the regular appointment against such post shall be taken into

account towards the length of service:

Provided that the *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service shall remain unchanged.

(c) *Ad hoc* service rendered after 31-12-1983 shall not be taken into account for confirmation/promotion purposes.

Note-2.— Provisions of rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under rule 2 are increased or decreased.

As may be constituted by the Government from time to time.

As required under the law.

12. If a Departmental Promotion Committee exists, what is its composition?

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.

14. Essential requirement for a direct recruit.

A candidate for appointment to any service or post must be:—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c),

(d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to any examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of *viva-voce* test and if the Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so consider necessary or expedient by a written test or a practical test, the standard/ syllabus etc. of which will be determined by the Commission/ other recruiting authority as the case may be.

16. Reservation

The appointment to this service shall be subject to orders regarding reservation in the service for Scheduled Castes/ Scheduled Tribes / Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Power to relax

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

By order,
KANWAR SHAMSHER SINGH,
Secretary.

भाग 4—स्थानीय स्वायत शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टारन एरिया तथा पंचायती राज विभाग

शून्य

भाग 5—वैयक्तिक अधिसूचनाएँ और विज्ञापन

In the Court of Shri R. L Sharma, District Judge,
Hamirpur (Himachal Pradesh)

Guardian Act Petition No. 3 of 1989.

Paras Ram s/o Shri Nauranga Ram grand father of (1) Neeta Devi, (2) Reeta Devi and (3) Rajni Devi, minor daughter of Late Shri Parkash Chand, resident of Village Kauin, Tappa Ugiatala, Tehsil and District Hamirpur (Himachal Pradesh) ..Petitioner.

Versus

General public.

..Respondent.

To

The general public

Whereas the above noted petitioner has moved an application duly supported with an affidavit under

section 6 of Hindu Minority and Guardianship Act read with Section 25 of the Guardian and Wards Act, 1890 praying therein that the petitioner may be appointed as Guardian and he may be allowed to re-deposit the matured amount in respect of aforesaid minor(s) the interest of minors.

Hence this proclamation is hereby issued to the General Public and kith and kins of the minor(s) to file their objections, if any, before this court on 30-6-1989 at 10 A.M. either personally or through authorised Advocate, failing which application for the appointment of Guardian shall be decided *ex parte*.

Given under my hand and the seal of this court this day of 1st May, 1989.

Seal.

R. L. SHARMA,
District Judge, Hamirpur.

In the Court of Shri Surjit Singh, District Judge, Una,
District Una (H.P.)

Civil Appeal No. 239/88

Smt. Tarsem Devi Versus Smt. Kamla Devi and 7 others.

Notice to:

No. 7. Thakur Singh s/o Sohan Singh, caste Rajput, r/o village Rajli Banialan, Tehsil Bangana, District Una .. Respondent.

Whereas in the above noted civil appeal case, it has been proved to the satisfaction of this court that the above-named respondent is evading the service of summons and cannot be served in the ordinary way of service. Hence this proclamation under order 5, rule 20, C. P. C. is issued against the above-noted respondent to appear in this court personally or through an authorised advocate on 30-6-1989 at 10.00 A.M. failing which the appeal will be heard and decided *ex parte*.

Given under my hand and the seal of the court on this 26th day of May, 1989.

Seal.

SURJIT SINGH,
District and Sessions Judge, Una.

In the Court of Shri T. N. Vaidya, Addl. District Judge-II,
Kangra at Dharamshala

In Re:

H. M. P. No. 7/89

Partap Chand

vs.

Chameli Devi

Versus:

Smt. Chameli Devi w/o Partap Chand residing with her mother Smt. Botu Devi, widow of Dhani Ram, r/o Yol, Tehsil Dharamshala, District Kangra.

Whereas in the above-noted case, it has been proved to the satisfaction of this court that the above-named respondent Chameli Devi could not be served in the ordinary course of service. Hence this proclamation under order 5, rule 20, C. P. C. is hereby issued against the above-named respondent to appear in this court on 30-6-1989 at 10 A.M. personally or through an authorised agent, failing which *ex parte* proceedings shall be taken against her.

Given under my hand and the seal of the court this 5th day of June, 1989.

Seal.

T. N. VAIDYA,
*Additional District Judge-II,
Kangra at Dharamshala.*

In the Court of Shri Shamsher Singh, Senior Sub-Judge.
Chamba Camp at Dalhousie

Succession Act Petition No. 1/988

Date of Institution: 31-10-1988

Date of hearing: 4-7-1989

1. Shri Prem Nath s/o Gokul Singh, r/o Village Samra, Pargana Bathri, Tehsil Bhattiayat, District Chamba (H.P.).

2. Smt. Sita d/o Gokul w/o Bal Krishan, r/o Village Dhulka, Pargana Bathri, Tehsil Salooni, District Chamba (H.P.).

3. Smt. Ram Piari d/o Gokul w/o Sobhia, r/o Talaha, Pargana Bathri, Tehsil Bhattiayat, District Chamba (H.P.)

.. Petitioner

Versus

To

The general public

.. Respondent.

Whereas the above noted petitioner has moved an application duly supported with an affidavit under the Indian Succession Act praying therein that succession certificate in respect of the assets/debts of Shri Gokul Singh died on 11-5-1985, may be issued in their favour.

Hence this proclamation is hereby issued to general public and kith and kins of the deceased to file their objection, if any, before this court on or before 4-7-89 at 10.00 A.M. either personally or through authorised agent failing which succession certificate as sought to be issued shall be granted *ex parte* in favour of the petitioner.

Given under my hand and the seal of this court today the 12th day of May, 1989.

Seal.

SHAMSHER SINGH,
*Senior Sub-Judge.
Chamba Camp at Dalhousie.*

In the Court of Shri J. N. Barowalia, Senior Sub-Judge,
Kangra at Dharamshala

Guardian & Wards Case No. 7/89

Smt. Rajo Devi mother of Kumari Rekha Devi (minor) at present at the house of her father Shri Painu Ram s/o Chonga, caste Harijan, r/o Ludret, P. O. Samloti, Tehsil and District Kangra .. Petitioner

Versus

General public

.. Respondent.

To

The general public.

Whereas in the above-noted case petitioner has filed an application under section 7 of the Hindu Minority and Guardianship Act, 1956 in respect of the appointment of the Guardian of minor Kumari Rekha Devi.

Hence this proclamation is hereby issued against the general public of the illaqua, kith and kins of the minor to file objection, if any, to the grant of said Guardianship in this court on or before 4-7-1989 at 10.00 A.M. personally or through pleader or any authorised agent failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the court on this 31st day of May, 1989.

Seal.

J. N. BAROWALIA,
*Senior Sub-Judge,
Kangra at Dharamshala.*

In the Court of Shri J. N. Barowalia, Senior Sub-Judge,
Kangra at Dharamshala

Succession Case No. 30/88

Date of hearing: 4-7-1989

Sher Singh son of Shri Bam Bahadur, resident of Khunyara, Tehsil Dharamshala, District Kangra

.. Petitioner

Versus

The general public.

.. Respondent.

To

The general public

Whereas in the above noted case the above named applicant has filed an application in this court under section 372 of the Indian Succession Act for the grant of Succession certificate in respect of the assets of Late Smt. Hari Devi widow of Sh. Dharam Chand, resident of Mant Khas, Tehsil Dharamshala, District Kangra, who died on 10-1-1985 at Khunyara.

Hence this proclamation is hereby issued to the above named respondent of the illaqua and the kith and kins of the deceased to file objection if any, to the grant of such succession certificate in this court on 4-7-1989 at 10 A.M. personally or through pleader or any authorised agent failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the court on this 31st day of March, 1989.

Seal.

J. N. BAROWALIA,
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri J. N. Barowalia, Senior Sub-Judge
Kangra at Dharamshala

Succession Case No. 34/88

Date of hearing : 3-7-1989

Jogindera Devi w/o Labhu Ram, r/o Vill. & P. O.,
Raja-Ka-Talab, Tehsil Nurpur, District Kangra
Petitioner.

Versus

1. Guddo Devi w/o Rup Lal Vill. & P. O. Dalwar,
Tehsil Amb, District Una.
2. Pajili Devi w/o Saran Dass, Vill. & P. O. Bhatoli
Phakorian, Tehsil Dehra, District Kangra
3. General public. .. Respondent.

To

The general public.

Whereas in the above noted case the above named applicant has filed an application in this court under section 276 of the Indian Succession Act for the grant of probate in respect of the assets of Late Sudesh Kumar d/o Khiali Ram, r/o Daroka, Tehsil Dehra, District Kangra who died on 15-2-1984 at Village Raja-Ka-Talab.

Hence this proclamation is hereby issued to the above named respondent of the illaqua and the kith and kins of the deceased to file objection if any, to the grant of such probate in this court on 3-7-1989 at 10 A.M. personally or through pleader or any authorised agent failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the court on this 31st March, 1989.

Seal.

J. N. BAROWALIA,
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri B. D. Sharma, Senior Sub-Judge,
Nahan, District Sirmaur

Case No. 2/2 of 89

Pending for 30-6-89

Lt. Col. Sudesh Kumar, Station Staff Officer, Head
Quarter, Nahan, Himachal Pradesh.

2. Smt. Lata Chadda wife of Shri Sudesh Kumar,
r/o C/o Lt. Col. Sudesh Kumar, Station Staff Officer,
Head Quarter, Nahan, Himachal Pradesh .. Petitioner.

Versus

The general public

.. Respondent.

Petition U/s 372 of the Indian Succession Act for the grant of Succession Certificate.

To

The general public.

Whereas in the above noted case the above named petitioners have filed an application in the court under section 372 of the Indian Succession Act in respect of the assets of Late Shri Sanjay Chadha, r/o F-4 Bhim Nagar Haus Khas, New Delhi, who died on 19-3-89 in an accident.

Hence this proclamation is hereby issued to the above named respondent of the illaqua and the kith and kins of the deceased to file objection, if any, to the grant of such succession certificate in this court on 30-6-89 at 10 A.M. personally or through an authorised agent pleader failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the court this 27th day of May, 1989.

Seal.

B. D. SHARMA,
Senior Sub-Judge, Nahan,
District Sirmaur.

In the Court of Shri V. K. Gupta, Senior Sub-Judge, Una,
Himachal Pradesh

Case No. 3 of 1989

SUCCESSION ACT

Amro Devi alias Amar Kaur d/o Smt. Atti d/o Wadhwana son of Boota, caste Jat, r/o Village Chattara, Tehsil and District Una at present w/o Lakhman Singh, r/o Village Gangowal, P. S. Malpur, District Hoshiarpur, Punjab .. Applicant.

Versus

General public

.. Respondent.

To

The general public.

Whereas the above named petitioner has filed an application in this court under section 372 of the Indian Succession Act for the grant of succession certificate in respect of the assets of late Shrimati Atti daughter of Wadhwana son of Boota, caste Jat, r/o Village Chattara, Tehsil and District Una, Himachal Pradesh, who died on 28-3-1987.

Hence this proclamation is hereby issued to the general public of the illaqua and kins of the deceased to file objections, if any, to the grant of succession certificate in this court on 30-6-1989 at 10 A.M. personally or through pleader or any other authorised agent failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the court this 29th day of May, 1989.

Seal.

V. K. GUPTA,
Senior Sub-Judge, Una,

In the Court of Shri R. L. Azad, Sub-Judge 1st Class (I),
Hamirpur

Civil Suit No. 261/87

Mansa Ram Vs. Basanta

Vs.: Negi Ram s/o Shiama, r/o Mundkhar Tulsi,
Tappa Mehta, Tehsil Bhoranj, District Hamirpur
..Defendant.

Whereas in the above-noted case, it has been proved to the satisfaction of this court that service upon the above-noted defendant is not possible by an ordinary mode of service. Hence this proclamation under order 5, rule 20, C. P. C. is hereby issued against the above-noted defendant to appear before this court on 30-6-89 at 10 A.M. personally, through an authorised agent or pleader to defend the case failing which case will be heard *ex parte*.

Given under my hand and seal of the court today this 30th May, 1989.

Seal.

R. L. AZAD,
Sub-Judge 1st Class (I),
Hamirpur

In the Court of Shri Pritam Singh, Judicial Magistrate 1st Class, Joginder Nagar, District Mandi

In the matter of:

Sunita Devi w/o Shilo Ram, 1/o Badehar Alu, Illaqua Bhangal, Tehsil Joginder Nagar, District Mandi
..Petitioner.

Versus

The general public ..Respondent.

Application u/s 13 (3) of Birth and Death Registration Act.

To

The general public.

Whereas the above-mentioned petitioner has filed an application u/s 13 (3) of Birth and Death Registration Act seeking orders to Secretary, Gram Panchayat Mohan Ghati for the registration of date of birth of his son namely Beer Kumar born on 5-3-83 at village Badehar Alu, Illaqua Bhangal, Tehsil Joginder Nagar, District Mandi, H. P.

Hence this proclamation is hereby issued to the general public and kith and kins to file their objections, if any, in this court on or before 28-6-1989 either personally or through an authorised agent, failing which the application shall be heard and allowed in favour of above petitioner.

Given under my hand and seal of the court today the 27th day of May, 1989.

Seal.

PRITTAM SINGH,
Judicial Magistrate 1st Class,
Joginder Nagar, District Mandi, H. P.

In the Court of Sh. D. S. Khenal, Sub-Divisional Judicial Magistrate Sarkaghat, District Mandi, H. P.

In the matter of: Execution petition No. 9/X/87.

Parwati w/o Budhi Singh, r/o Sakoh, Illaqua, Kamlah, Tehsil Sarkaghat, District Mandi, H. P. ..Petitioner.

Vs.

Budhi Singh s/o Kishan, r/o Sakoh, Tehsil, Sarkaghat, District Mandi, H. P. at present working as Ink Man,

Government Press, Patiala, Punjab.

..Respondent.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above named Budhi Singh respondent cannot be served in the ordinary course of service as he is evading the service of the notice issued to him.

Hence this proclamation is issued to him to appear before this court on 28-6-89 at 10-00 A.M. personally or through pleader or authorised agent to defend the petition, failing which the same will be decided *ex parte*.

Given under my hand and the seal of the court today the 29th May, 1989.

Seal.

D. S. KHENAL,
Sub-Divisional Judicial Magistrate,
Sarkaghat, District Mandi, H. P.

In the Court of Shri J. S. Mahantan, Sub-Judge 1st Class, Sundernagar, H. P.,

In the matter of :

CIVIL SUIT No. 131/88

Jagdish Chand Vs. Hem Raj and others

Notice to:

Shri Hem Raj s/o Shri Darodar Dass, r/o Salah, Shri Lekh Ram s/o Shri Surajmani, Smt. Karishni d/o Shri Surajmani, Smt. Bhavia Devi d/o Shri Surajmani, rs/o Sundernagar No. 1, Shri Duni Chand s/o Shri Prabhakar, r/o Kapahi, Shri Thakur Dass s/o Shri Bhagat Singh, r/o Bhojpur, Smt. Thakri Devi w/o Shri Sainu, r/o Sundernagar.

Whereas in the above noted civil suit, it has been proved to the satisfaction of this court that the service of the above named defendant/proforma defendants cannot be affected in the ordinary course of service, hence this proclamation is hereby issued against them to appear before this court on 30-6-89 at 10.00 A. M. personally or through an authorised agent or pleader to defend the case, failing which an *ex parte* proceedings will be initiated against them.

Given under my hand and seal of this court today the 15th May, 1989.

J. S. MAHANTAN,
Sub-Judge 1st Class,
Sundernagar, H. P.

In the Court of Sh. A. K. Sharma, Sub-Judge (II) Una,
District Una

C.S. No. 87/1988 No. SJ(II)-Una/89-179 dated 30-5-89

Rattan Chand Vs. Bansi etc.

Versus:

Nidhan Devi daughter of Bhangi son of Kahna, resident of Village Chalola, Tehsil and District Una.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above named defendant cannot be served in the ordinary course of service as she is evading the service of summons issued against her.

Hence this proclamation under order 5, rule 20, C. P. C. is hereby issued against her to appear in this court on 30-6-1989 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which she will be proceeded *ex parte*.

Given under my hand and the seal of the court today the 30th May, 1989.

Seal.

A. K. SHARMA,
Sub-Judge (II), Una,
District Una, H. P.

ब अदालत श्री लालक राम चौहान, उप-मण्डल मैजिस्ट्रेट, जोगिन्द्र नगर,
जिला मण्डी, हिमाचल प्रदेश

बनाम
आम जनता

मिसल नं 0 3

मरुजुआ 19-4-89

ब मुकदमा: प्रताप सिंह सुपुत्र श्री लखू राम, जाति राजपूत, निवासी
निचला गरोड़, इलाका नेरकला, तहसील जोगिन्द्र नगर, जिला मण्डी,
हिमाचल प्रदेश

.. प्रार्थी ।

दरखास्त जेर धारा 13 (3) पंजीकरण जन्म व मृत्यु ।

उपरोक्त मुकदमा उनवान वाला में प्रार्थी श्री प्रताप सिंह ने
इस कार्यालय में प्रार्थना-पत्र गुजारा है कि उसकी माता श्रीमती
सोहणी देवी की मृत्यु दिनांक 1-3-1986 को हो गई है लेकिन
उनकी मृत्यु तिथि पंचायत रिकार्ड में दर्ज नहीं हुई है।

अतः आम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है
कि अगर उपरोक्त मृत्यु तिथि के बारा किसी को कोई उजर व एतराज
हो तो वह दिनांक 22-6-1989 को असालतन या बकालतन इस कार्यालय
में सुबह 10.00 बजे हाजर अदालत आवें अन्यथा अपने उजर पेश करें
अन्यथा दीगर कार्यवाही अमल में लाई जावेगी।

आज दिनांक 23-5-1989 को मेरे हस्ताक्षर व मोहर अदालत से जारी
हुआ।

मोहर।

आर० एस० गृष्णा,
उप-मण्डल मैजिस्ट्रेट,
पांचटा साहिब, जिला सिरमोर,
हि० प्र० ।

दरखास्त वराये काटे जाने नाम पंचायत रिकार्ड से श्रीमती सोहणी
देवी बेबा श्री लखू राम जेर धारा 13 (3) जन्म व मृत्यु ।

उपरोक्त मुकदमा उनवान वाला में प्रार्थी श्री प्रताप सिंह ने
इस कार्यालय में प्रार्थना-पत्र गुजारा है कि उसकी माता श्रीमती
सोहणी देवी की मृत्यु दिनांक 1-3-1986 को हो गई है लेकिन

उनकी मृत्यु तिथि पंचायत रिकार्ड में दर्ज नहीं हुई है।

अतः आम जनता को बजरिया इश्तहार राजपत्र, हिमाचल प्रदेश
सूचित किया जाता है कि अगर उपरोक्त मृत्यु तिथि के बारा किसी को
कोई उजर व एतराज हो तो वह दिनांक 27-6-1989 को असालतन
व बकालतन इस अदालत में सुबह 10.00 बजे हाजर आवें तथा अपने
उजर पेश करें अन्यथा उचित कार्यवाही अमल में लाई जावेगी।

आज दिनांक 30-5-1989 को हमारे हस्ताक्षर व मोहर अदालत
के द्वारा जारी हुआ।

लालक राम चौहान,
उप-मण्डल मैजिस्ट्रेट,
जोगिन्द्र नगर, जिला मण्डी ।

मोहर।

ब अदालत उप-मण्डल दण्डाधिकारी, नालागढ़, जिला सोलन, हि० प्र०

श्री हरि किशन पुत्र गरीब दास, साकन वार्ड नं 0 8, नालागढ़
.. वादी ।

बनाम

आम जनता .. प्रतिवादी ।

इश्तहार जेर धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969.

हर आम व खास को सूचित किया जाता है कि श्री हरि किशन
वादी ने इस अदालत में अपने लड़के अमित की जन्म तिथि 14-9-84
को पंजीकार के कार्यालय में पंजीकृत करने हेतु प्रार्थना-पत्र जेर धारा
13(3) जन्म एवं मृत्यु अधिनियम के अन्तर्गत दिया है। यदि किसी
को इस जन्म तिथि के पंजीकृत करने में एतराज है तो वह दिनांक
27-6-89 को या इससे पूर्व अपना एतराज लिखित एवं मौखिक रूप
से पेश कर सकता है। बाद गुजरने मियाद कोई एतराज काबले समायत
नहीं होगा।

आज दिनांक 26-5-89 को हमारे हस्ताक्षर व मोहर अदालत
से जारी किया गया।

मोहर ।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी, नालागढ़ ।

ब अदालत श्री आर० एस० गृष्णा, उप-मण्डल मैजिस्ट्रेट, पांचटा साहिब,
जिला सिरमोर, हिमाचल प्रदेश

ब मुकदमा :

धर्म पाल पुत्र श्री मुनशी राम, निवासी आम पांचटा साहिब, वार्ड नं 0 7,
तहसील पांचटा साहिब, जिला सिरमोर, हिमाचल प्रदेश .. प्रार्थी ।

दरखास्त जेर धारा 13 (3) पंजीकरण जन्म व मृत्यु ।

उपरोक्त मुकदमा उनवान वाला में प्रार्थी श्री धर्म पाल, निवासी पांचटा
साहिब ने इस कार्यालय में गुजारिश की है कि उसकी पुत्र नंदन पाल
का जन्म दिनांक 20-12-1983 को हुआ है लेकिन उसका जन्म नियम
व नाम नगरपालिका रिकार्ड में पंजीकृत नहीं हुई है।

अतः आम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है
कि अगर उपरोक्त पंजीकरण के बारा किसी को कोई उजर व एतराज
हो तो वह दिनांक 22-6-1989 को असालतन या बकालतन इस कार्यालय
में सुबह 10.00 बजे हाजर अदालत आवें अन्यथा अपने उजर पेश करें
अन्यथा दीगर कार्यवाही अमल में लाई जावेगी।

आज दिनांक 23-5-1989 को मेरे हस्ताक्षर व मोहर अदालत से जारी
हुआ।

मोहर।

आर० एस० गृष्णा,
उप-मण्डल मैजिस्ट्रेट,
पांचटा साहिब, जिला सिरमोर,
हि० प्र० ।

ब अदालत श्री आर० एस० गृष्णा, उप-मण्डल मैजिस्ट्रेट, पांचटा साहिब,
जिला सिरमोर, हिमाचल प्रदेश

ब मुकदमा:

हरी चन्द पुत्र श्री परमा नन्द, निवासी वार्ड नं 0 9 पांचटा साहिब,
जिला सिरमोर, हिमाचल प्रदेश .. प्रार्थी ।

बनाम
आम जनता

दरखास्त जेर धारा 13 (3) पंजीकरण जन्म व मृत्यु ।

उपरोक्त मुकदमा उनवान वाला में प्रार्थी श्री हरी चन्द पुत्र परमा नन्द
ने इस कार्यालय में गुजारिश की है कि उसके पुत्र मुनीष कुमार का जन्म
दिनांक 30-4-1985 को हुआ है लेकिन उसका जन्म तिथि व नाम
नगरपालिका रिकार्ड में पंजीकृत नहीं हुई है।

अतः आम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है
कि अगर उपरोक्त पंजीकरण के बारा किसी को कोई उजर व एतराज
हो तो वह दिनांक 22-6-1989 को असालतन या बकालतन इस कार्यालय
में सुबह 10.00 बजे हाजर अदालत आवें अन्यथा अपने उजर पेश करें
अन्यथा दीगर कार्यवाही अमल में लाई जावेगी।

आज दिनांक 23-5-1989 को मेरे हस्ताक्षर व मोहर अदालत से जारी
हुआ।

मोहर।

आर० एस० गृष्णा,
उप-मण्डल मैजिस्ट्रेट,
पांचटा साहिब, जिला सिरमोर, हि० प्र० ।

ब अदालत श्री आर० एस० गृष्णा, उप-मण्डल मैजिस्ट्रेट, पांचटा
साहिब, जिला सिरमोर, हिमाचल प्रदेश

ब मुकदमा :

बसन्त राम पुत्र श्री लीलाधर, निवासी वार्ड नं 0 8, पांचटा साहिब,
जिला सिरमोर, हिमाचल प्रदेश ।

बनाम

आम जनना

दरखास्त जेर धारा 13(3) पंजीकरण जन्म व मृत्यु ।

उपरोक्त मुकदमा उनवान वाला में प्रार्थी बसन्त राम, निवासी
पांचटा साहिब ने इस कार्यालय में गुजारिश की है कि उसकी पुत्री निर्मला

कुमारी का जन्म दिनांक 4-4-1984 को हुआ है लेकिन उसकी जन्म तिथि व नाम सुन्दरपालिका रिकार्ड में पंजीकृत नहीं हुआ है।

अतः आम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है कि अगर उपरोक्त पंजीकरण के बारा किसी को कोई उजर व एतराज हो तो वह दिनांक 22-6-1989 को असालतन या बकालतन इस कार्यालय में सुबह 10.00 बजे हाजर अदालत आवें और अपने उजर पेश करें अन्यथा दोगर कार्यवाही अमल में लाई जावेगी।

आज दिनांक 23-5-89 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आर0 एस0 गुप्ता,
उप-मण्डल मैजिस्ट्रेट,
पांचाला साहिब, जिला सिरमोर, हि0 प्र0।

कार्यालय उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी, हि0 प्र0

प्रेम कुमार सुपुत्र श्री चन्द्र सैन, निवासी पुराना बाजार, डाक-
खाना पुराना बाजार, तहसील सुन्दरनगर, जिला मण्डी .. प्रार्थी।

बनाम

आम जनता

प्रार्थना-पत्र : लड़की की जन्म तिथि सुन्दरपालिका सुन्दर नगर में दर्ज करने हेतु।

श्री प्रेम कुमार प्रार्थी ने उपरोक्त दिनांक 19-5-89 को इस कार्यालय में प्रार्थना-पत्र पेश किया है कि उसकी लड़की ज्योति रानी का जन्म 14-6-1984 को उनके निवास स्थान पर हुआ है, लेकिन समय पर उसकी जन्म तिथि सुन्दरपालिका सुन्दर नगर में दर्ज नहीं करवाई है, दर्ज करने के आदेश जारी किये जायें।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि किसी भी व्यक्ति को इस बारा कोई भी आपत्ति आदि हो, तो तिथि 30-6-89 समय 10 बजे सुबह तक हाजर कार्यालय होकर पेश कर सकता है, वरना दीपक कुमार सुपुत्र श्री राम गोपाल, निवासी हाल क्वार्टर नम्बर 209/एस0 जीरो बी0एस0 एल0 कलोनी, तहसील सुन्दर नगर, जिला मण्डी (हि0प्र0) की जन्म तिथि 14-6-1984 का नगरपालिका सुन्दर नगर में दर्ज करने का आदेश जारी कर दिया जायेगा।

आज दिनांक 25-5-89 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

पी0 सी0 धीमान,
उप-मण्डल दण्डाधिकारी,
उप-मण्डल, सुन्दरनगर, हि0 प्र0।

कार्यालय उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि0प्र0)
मुरेन्द्र पाल गुप्ता सुपुत्र श्री चन्द्र सैन, निवासी भोजपुर,
तहसील सुन्दरनगर, जिला मण्डी, हि0 प्र0 .. (प्रार्थी)।

बनाम

आम जनता

प्रार्थना-पत्र : लड़कियों के जन्म तिथि सुन्दरपालिका सुन्दरनगर में दर्ज करने हेतु आदेश।

श्री मुरेन्द्र पाल गुप्ता प्रार्थी उपरोक्त ने तिथि 23-5-89 को इस कार्यालय में प्रार्थना-पत्र पेश किया है कि उसकी लड़कियां कुमारी शवानी गुप्ता व रंजू गुप्ता का जन्म तिथि 9-12-83 व 12-2-85 को उसके निवास स्थान पर हुआ है, लेकिन समय पर जन्म तिथि सुन्दरपालिका सुन्दरनगर में दर्ज नहीं करवाई है, दर्ज करने के आदेश दिये जायें।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि किसी भी व्यक्ति को इस बारा कोई भी आपत्ति आदि हो, तो दिनांक 30-6-89 समय 10 बजे सुबह हाजर कार्यालय होकर पेश कर सकता है, वरना मंगल सिंह सुपुत्र रोशन लाल, निवासी हाल क्वार्टर नम्बर 266/एस0 जीरो बी0 एस0 एल0 कलोनी, तहसील सुन्दर नगर, जिला मण्डी (हि0प्र0) में दर्ज करने के आदेश जारी किये जायें।

पेश कर सकता है, वरना कुमारी शवानी गुप्ता व रंजू गुप्ता सुपुत्री श्री सुरेन्द्र पाल गुप्ता, निवासी भगजपुर, डाकखाना भाजपुर, तहसील सुन्दरनगर की जन्म तिथि 9-12-83 व 12-2-85 के नगरपालिका सुन्दरनगर, जिला मण्डी (हि0 प्र0) में दर्ज करने के आदेश जारी कर दिय जायें।

आज दिनांक 25-5-89 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

पी0 सी0 धीमान,
उप-मण्डल दण्डाधिकारी,
उप-मण्डल, सुन्दरनगर (हि0 प्र0)।

कार्यालय उप-मण्डल दण्डाधिकारी सुन्दरनगर, जिला मण्डी (हि0 प्र0)

राम गोपाल सुपुत्र श्री विश्वनाथ दास, निवासी हाल क्वार्टर नम्बर 209/एस0 जीरो बी0एस0एल0 कलोनी, सुन्दर नगर, जिला मण्डी (हि0प्र0) .. प्रार्थी।

बनाम

आम जनता

प्रार्थना-पत्र : लड़के की जन्म तिथि नगर पालिका सुन्दरनगर के रिकार्ड में दर्ज करने के बारे आदेश।

श्री गोपाल प्रार्थी उपरोक्त ने 17-5-89 को इस कार्यालय में प्रार्थना-पत्र पेश किया है कि उसके लड़के दीपक कुमार का जन्म तिथि 2-2-1984 को उसके निवास स्थान पर हुआ है, लेकिन समय पर नगरपालिका सुन्दरनगर के रिकार्ड में दर्ज नहीं करवाई है। दर्ज करने के आदेश जारी किये जायें।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि किसी भी व्यक्ति को इस बारे कोई भी आपत्ति आदि हो तो वह दिनांक 30-6-89 समय 10 बजे सुबह तक हाजर कार्यालय होकर पेश कर सकता है, वरना दीपक कुमार सुपुत्र श्री राम गोपाल, निवासी हाल क्वार्टर नम्बर 209/एस0 जीरो बी0एस0एल0 कलोनी, तहसील सुन्दर नगर, जिला मण्डी (हि0प्र0) की जन्म तिथि 2-2-1984 का नगरपालिका सुन्दर नगर के अभिलेख में दर्ज करने के आदेश जारी कर दिये जायें।

आज दिनांक 25-5-89 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

पी0 सी0 धीमान,
उप-मण्डल दण्डाधिकारी;
उप-मण्डल, सुन्दर नगर (हि0 प्र0)।

कार्यालय उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि0 प्र0)

श्री रोशन लाल सुपुत्र श्री किरपा राम, निवासी हाल, क्वार्टर नम्बर 464/एस0 जीरो बी0 एस0 एल0 कलोनी, सुन्दरनगर, जिला मण्डी, हि0 प्र0 .. प्रार्थी।

बनाम

आम जनता।

प्रार्थना-पत्र : लड़के की जन्म तिथि नगरपालिका सुन्दरनगर के अभिलेख में दर्ज करने हेतु।

श्री रोशन लाल प्रार्थी उपरोक्त ने दिनांक 17-5-89 को इस कार्यालय में प्रार्थना-पत्र पेश किया है कि उसके लड़के मंगल सिंह का जन्म तिथि 26-10-1983 को उसके निवास स्थान पर हुआ है, लेकिन समय पर उसकी जन्म तिथि नगरपालिका सुन्दरनगर में दर्ज नहीं करवाई है, दर्ज करने के आदेश जारी किये जायें।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि किसी भी व्यक्ति को इस बारा कोई भी आपत्ति आदि हो तो तिथि 30-6-89 समय 10 बजे सुबह हाजर कार्यालय होकर पेश कर सकता है, वरना मंगल सिंह सुपुत्र रोशन लाल, निवासी हाल क्वार्टर नम्बर

464/एस0 जीरो 0 बी0एस0 एल0 कलीनी, सुन्दरनगर की जन्म तिथि 26-10-1983 का नगरपालिका मुन्हरनगर में दर्ज करने का आदेश जारी कर दिया जायेगा।

मेरे आज दिनांक 25-5-89 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

वी0 सी0 धीमान,
उप-मण्डल दण्डाधिकारी,
उप-मण्डल सुन्दरनगर, हिमाचल प्रदेश।

ब अदालत जनाव श्री आर0 आर0 धीमान, सब-रजिस्ट्रार बड़सर,
जिला हमीरपुर (हि0 प्र0)

श्री मन्दामा राम पुत्र भगत राम, वासी भोटा, तम्पा पाहलू, तहसील
नडसर, जिला हमीरपुर

वनाम

आम जनता

मसूलग्रहीहम।

उनवान :

दरखास्त जेर धारा 40/41 भारतीय रजिस्ट्रेशन एक्ट वराये
रजिस्ट्रेशन करने वासीयतनामा दिनांक 13-10-88 मुत-
वफी श्री भगत राम, वासी भोटा।

उपरोक्त विषय पर आम जनता को वजरिया इष्टहार राजपत्र हिमाचल प्रदेश द्वारा सूचित किया जाता है कि अगर किसी को उपरोक्त वासीयतनामा के पंजीकृत होने में कोई एतराज हो तो वह अदालत हजा में दिनांक 23-6-89 को सुवह 10 बजे असालतन या वकालतन हाजर होकर पेश कर सकता है अन्यथा गैर-हाजरी की सूरत में वासीयतनामा पंजीकृत कर दिया जावेगा।

आज दिनांक 24-5-89 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आर0 आर0 धीमान,
सब-रजिस्ट्रार बड़सर,
जिला हमीरपुर, हिमाचल प्रदेश।

इष्टहार जेर आर्डर 5, नियम 20, सी0 पी0 सी0

बअदालत श्री साधू राम वर्मा, सहायक समाहर्ता, प्रथम श्रेणी, एवं
तहसीलदार, भू0 व्यवस्था बृत बंगाणा, जिला ऊना

मिसल नम्बर 8/89

तारीख मरजुआ 3-3-1989

सुन्दर लाल पुत्र खजाना, वासी धुन्दला, मौजा कोटला, तहसील बंगाणा
जिला ऊना

वनाम

(1) विश्वन दास, (2) अमर नाथ पुत्र खजाना, वासी धुन्दला, मौजा
कोटला, तहसील बंगाणा, (3) अमर नाथ पुत्र ठुलिया, वासी धुन्दला,
मौजा कोटला, तहसील बंगाणा .प्रतिवादीगण।

विषय: दावा तकसीम खाता नम्बर 138, खतीनी नम्बर 175, नम्बर
खसरा 508, रकवा तादादी 11-10 कनाल, वाक्या महाल
धुन्दला, मौजा कोटला, तहसील बंगाणा, जिला ऊना।

उपरोक्त मुकदमा में फरीक दोयम को कई बार इस व्यायालय से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही है। अतः व्यायालय को भी विश्वास हो चुका है कि उन पर तामील समन साधारण तरीके से होनी कठिन है।

अतः उपरोक्त फरीक दोयम को वजरिया इष्टहार सूचित किया जाता है कि वह असालतन या वकालतन दिनांक 30-6-1989 को समय 10 बजे प्रतः हमारे व्यायालय बंगाणा, जिला ऊना में हाजिर होकर पैरवी मुकदमा करें। अन्यथा कार्यवाही जाब्ता अमल में लाई जावेगी।

यह इष्टहार आज दिनांक 31-5-89 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

साधू राम वर्मा,
सहायक समाहर्ता प्रथम श्रेणी,
एवं तहसीलदार भू0 व्यवस्था बृत बंगाणा।

इष्टहार जेर आर्डर, 5 नियम 20, सी0 पी0 सी0

ब अदालत श्री साधू राम वर्मा तहसीलदार भू-व्यवस्था एवं सहायक
समाहर्ता, प्रथम श्रेणी बंगाणा, जिला ऊना

मिसल नम्बर

4/89

मुकदमा

सुन्दर लाल पुत्र खजाना, वासी धुन्दला, मौजा कोटला, तहसील
बंगाणा, जिला ऊना (हि0 प्र0) .वादी।

तारीख मरजुआ
3-3-1989

वनाम

(1) विश्वन दास, (2) अमर नाथ पुत्र खजाना, वासी धुन्दला, मौजा
कोटला, तहसील बंगाणा, जिला ऊना .प्रतिवादीगण।

विषय: दावा तकसीम खाता नम्बर 37, खतीनी नम्बर 174, किता
3, रकवा तादादी 10-1 कनाल, वाक्या महाल धुन्दला, मौजा
कोटला, तहसील बंगाणा, जिला ऊना।

उपरोक्त मुकदमा में फरीक दोयम को कई बार इस व्यायालय से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही है। अतः व्यायालय को भी विश्वास हो चुका है कि उन पर तामील समन साधारण तरीके से होनी कठिन है।

अतः उपरोक्त फरीक दोयम को वजरिया इष्टहार मुचित किया जाता है कि वह असालतन या वकालतन दिनांक 30-6-1989 को समय 10 बजे प्रतः आत्म नम्बर 174, खतीनी नम्बर 138, नम्बर
खसरा 508, रकवा तादादी 11-10 कनाल, वाक्या महाल में हाजिर होकर पैरवी मुकदमा करें। अन्यथा कार्यवाही जाब्ता अमल में लाई जावेगी।

यह इष्टहार आज दिनांक 31-5-1989 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

श्री साधू राम वर्मा,
तहसीलदार, भू-व्यवस्था बृत;
बंगाणा एवं सहायक समाहर्ता,
प्रथम श्रेणी, वृत बंगाणा।

इष्टहार जेर आर्डर 5, नियम 20, सी0 पी0 सी0

ब अदालत श्री साधू राम वर्मा, तहसीलदार भू-व्यवस्था एवं
सहायक समाहर्ता प्रथम श्रेणी, बंगाणा, जिला ऊना

मिसल नम्बर 5/89

तारीख मरजुआ 3-3-1989

व मुकदमा

सुन्दर लाल पुत्र खजाना, वासी धुन्दला, मौजा कोटला, तहसील
बंगाणा, जिला ऊना .वादी।

वनाम

(1) विश्वन दास, (2) अमर नाथ पुत्र खजाना, वासी धुन्दला,
मौजा कोटला, तहसील बंगाणा, जिला ऊना .प्रतिवादीगण।

विषय: दावा तकसीम खाता नम्बर 139, खतीनी नम्बर 176,
नम्बर खसरा 544, रकवा तादादी 0-14 कनाल वाक्या महाल धुन्दला;
मौजा कोटला, तहसील बंगाणा, जिला ऊना।

उपरोक्त मुकदमा में फरीक दोयम को कई बार इस व्यायालय से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही है। अतः

जारी हुए लेकिन उन पर तामील समन नहीं हो रही है। अतः

न्यायालय को भी विचार से हुका है कि उन पर तामील समन साधारण तरीका से होनी कठिन है।

अतः उपरोक्त फरीक दोयम को बजरिया इश्तहार सूचित किया जाता है कि वह असालतन या वकालतन दिनांक 30-6-1989 को समय 10 बजे प्रातः हमारे न्यायालय बंगाणा, जिला ऊना में हाजिर होकर पैरवी मुकदमा करें। अन्यथा कार्यवाही जान्ता अमल में लाई जावेगी।

वह इश्तहार आज दिनांक 31-5-1989 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

श्री साधू राम वर्मा,
तहसीलदार भू-व्यवस्था एवं
सहायक समाहर्ता प्रधम श्रेणी,
भू-व्यवस्था व त बंगाणा, जिला ऊना।

इश्तहार

बग्रदालत तहसीलदार भू-व्यवस्था एवम् भू-सुधार अधिकारी वृत्त दौलतपुर चौक, तहसील अम्ब, जिला ऊना।

मिसल नम्बर 21/89

तारीख मंजूरी 2-1-88

प्रमोध सिंह पुत्र चतर सिंह, निवासी तरिकड़, मीजा अनोह, तहसील नूरपुर, जिला कांगड़ा (हि0प्र०)। ..प्रार्थी।

वनाम

1. श्रीमती शकुनतला देवी, 2. श्रीमती विमला देवी, 3. श्रीमती निर्मला देवी, 4. श्रीमती उर्मिला देवी पुलियां व, 5. अमर नाथ पुत्र मुनशी निवासी महाल लहाड़, तहसील नूरपुर, जिला कांगड़ा ..फरीकैन दोयम।

विषय : प्रार्थना-पत्र दहस्ती इन्द्राज खसरा गिरदावरी खाता नम्बर 15, खातीनी नम्बर 24, खसरा नम्बर 1270, रकवा तादादी 0-0-5-85 हैट्टेयर बाक्या महाल व मीजा गंगाय, तहसील नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश।

उपरोक्त फरीकैन दोयम को अदालत हजा से कई बार समन जारी किये गये परन्तु उनको समन तामील ना हो रहे हैं। अदालत हजा को यकीन हो चुका है कि उपरोक्त फरीकैन दोयम को समन की तामील साधारण ढंग से होनी असम्भव है। इसलिए उपरोक्त फरीकैन दोयम नम्बर शमार 1 ता 5 की तलवी के लिए इश्तहार मुस्त्री मुनादी जारी किया जाना उचित है। अतः उपरोक्त फरीकैन दोयम नम्बर शमार 1 ता 5 को इश्तहार मुस्त्री मुनादी द्वारा सूचित किया जाता है कि वह मुकदमा की पैरवी हेतु पेशी दिनांक 29-6-89 को वरवर्त 10 बजे असालतन या वकालतन हजिर शावे अन्यथा गैर हाजरी की सूरत में यकतरका कार्रवाई अमल में लाई जावेगी।

आज दिनांक 29-3-89 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

हस्ताक्षरित-/-,

एल 0प्र०0ओ०,

दौलतपुर चौक, तहसील अम्ब, जिला ऊना।

बग्रदालत श्री के 0 डी 0 वर्मा, सहायक समाहर्ता द्वितीय श्रेणी, जोगिन्द्रनगर, जिला मण्डी, हिमाचल प्रदेश

बमुकदमा:-

बैन्सी-गवदंन-खड़क पुत्र कातू पुत्र सिहमला, निवासी टिकड़ ..गैरमोरुसी।

वनाम

किशन चन्द पुत्र सिंह पुत्र केशव, निवासी नगर मण्डी ..मालकान ऊनवान मुकदमा: तस्दीक इन्तकाल नम्बर 247, महाल टिकड़/75

जेर धारा 104(3) हिमाचल प्रदेश मुजारा एकट, 1974

उपरोक्त इन्तकाल वात्रत मूमि कित्ता 8, रकवा तादादी 13-2-17 बीघा का टु भाग के बारे काफी अरसा से वराये तस्दीक पड़ा है। मालकान

हत्का से बाहर का है। जिसकी हाजरी साधारण तरीके से होना नहीं पाई जाती है। अतः इस इश्तहार जान्ता द्वारा मालिक मजकूर को सूचित किया जाता है कि वह मिति 23-6-89 को प्रातः 10 बजे सुकाम जोगिन्द्रनगर द्वयं या वकालतन हाजर होकर पैरवी मुकदमा करें अन्यथा गैर हाजरी को सूरत में इन्तकाल का फैसला मुजारियान के हक में कर दिया जावेगा। बाद में कोई एतराज काबले समायत न होगा।

आज दिनांक 18-5-89 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

के 0 डी 0 वर्मा
सहायक समाहर्ता द्वितीय श्रेणी,
जोगिन्द्रनगर, जिला मण्डी।

बग्रदालत सहायक समाहर्ता द्वितीय श्रेणी जोगिन्द्रनगर, जिला मण्डी, हिमाचल प्रदेश

मिसल नम्बर 3/88

उनवान मुकदमा:

बेली राम पुत्र लोधी राम पुत्र रंजा, निवासी ग्रोडू, परगना जीतपुर ..प्रार्थी।

बनाम
प्रेमी, राम सिंह पुत्र भोला पुत्र हुकू, निवासी झलवान, परगना जीतपुर ..फीकदोयम।

मुकदमा: दस्ती गिरदावरी।

उपरोक्त उनवान मुकदमा बाला में फीकदोयम को कई बार समन जारी किये गये। प्रार्थीयान काफी असाला से इस तहसील से कहीं चले गये हैं जिनका कोई जाता रहियश न है। इस तरह उपरोक्त फीकदोयम की तामील साधारण तरीका से होनी नहीं पाई जा रही है।

अतः इस इश्तहार द्वारा कीकदोयम उपरोक्त को सूचित किया जाता है कि वह असालतन व वकालतन हमारे न्यायालय मुकाम जोगिन्द्रनगर मिति 27-6-89 समय 10 बजे हाजर आकर पैरवी मुकदमा करें। अदम गैरवी व गैर हाजरी यही समझा जावेगा कि उनका कोई उजर/एतराज न है अन्यथा हस्त जान्ता कार्यवाही अमल में लाई जायेगी वाद में कोई आपत्ति काबले समायत न होगी।

आज दिनांक 27-5-89 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-,
सहायक समाहर्ता द्वितीय श्रेणी,
जोगिन्द्रनगर, जिला मण्डी।

बग्रदालत जनाव वलदेव दास शर्मा, सव-रजिस्ट्रार-कम-नायब तहसीलदार कांगड़ा

मुकदमा नम्बर 3NT/89 आफ 1989

दवेन्द्र सिंह श्रादि

वनाम

सर्व जनता

..प्रत्यार्थी

दरखास्त वालत रजिस्ट्री करवाने वसीयतनामा जेर धारा 40/41 भारतीय रजिस्ट्रेशन ऐट, 1908 हेतु।

मुकदमा मुद्दर्जा उनवान बाला में हर खास व आम को बजरिया हिमाचल प्रदेश राजपत्र में सूचित करें कि दवेन्द्र सिंह, भूपेन्द्र सिंह उल जाती राम, वासी श्रीवरा, मीजा वाड़ी, तहसील कांगड़ा ने मिति 15-5-89 को इस कायालय में दरखास्त दी है कि श्री जाती राम पुत्र खानारा राम, वासी श्रीवरा, मीजा वाड़ी, तहसील वडोह ने एक वसीयतनामा बहक प्रार्थी के नाम लिखवाया है कि उस की सम्पूर्ण चल व अचल सम्पत्ति उस के मरणों उपरात प्रार्थी के नाम की जाव। जिस की तारीख पेशी 29-6-89 को इस अदालत में रखी

गई। यदि इस सम्बन्ध में किसी को किसी किस्म का उजर या एतराज हो तो वह उपरोक्त तारीख को असालतन या वकालतन हाजिर अदालत 10 बजे आर पेश कर सकता है। इसके बाद कोई उजर काविल समायत न होगा। अन्यथा गैर हाजरी में वसीयत पंजीकृत कर दी जायेगी।

आज वतारीख 29-5-89 मोहर अदालत व मेरे हस्ताक्षर से जारी किया गया।

मोहर।

बलदेव दास शर्मा,
सब-रजिस्ट्रार-कम-नहसील सदर,
कांगड़ा, हि० प्र०।

ब अदालत श्री भगत राम भलैक, सहायक समाहृत प्रथम श्रेणी, तहसील मूरंग, जिला किन्नौर, हिमाचल प्रदेश

मुकदमा नम्बर 5/89-IX-ए ता० 7/89-IX-ए

उनवान सुकदमा : दावा तकसीम

श्री डाचोम दोर्जे पुत्र सनम जाछो, ग्राम आसरंग, तहसील मूरंग, जिला किन्नौर।

बनाम

श्री बहादुर सेन पुत्र सनम जाछो, ग्राम आसरंग, तहसील मूरंग जिला किन्नौर।

बनाम :

श्री सन्दुप दोर्जे पुत्र सनम जाछो, ग्राम आसरंग, तहसील मूरंग, जिला किन्नौर, हिमाचल प्रदेश।

१. मुकदमा उपरोक्त उनवान बाला में उक्त प्रतिवादी को समन की तहसील साधारण तरीके से होना कठिन है। अतः बजरिया इश्तहार प्रतिवादी उपरोक्त को सूचित किया जाता है कि वह मिति 29 जुलाई, 1989 को मुकाम मूरंग हमारी अदालत में बरकरात प्रातः 10 बजे असालतन व वकालतन हाजिर होकर मुकदमा को पैरवी करें अन्यथा गैर-हाजरी की सूत्र में कार्यवाही एक तरफा अमल में लाई जायेगी।

यह इश्तहार आज मिति 16-5-89 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

बी० आर भलैक,
सहायक समाहृत प्रथम श्रेणी,
तहसील मूरंग, जिला किन्नौर, हि० प्र०।

ब अदालत श्री पी० सी० कटोच, उप-पंजीकाध्यक्ष, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा:

- श्रीमती कलादेवी विधवा स्वर्गीय कृष्ण लाल सुपुत्र रामसरन महाजन,
- सतीश कुमार सुपुत्र श्री कृष्ण लाल, निवासीगण मकान नं० 86/३ गणपति रोड, मण्डी, हिमाचल प्रदेश

बनाम

आम जनता प्रत्यार्थी।

दरखास्त बाबत तसरीक व रजिस्टर किये जाने वसीयत धारा 40/41 भारतीय रजिस्ट्रेशन एकट।

हर खास व आम को सूचित किया जाता है कि श्रीमती कला देवी विधवा श्री कृष्ण लाल व श्री सतीश कुमार सुपुत्र श्री कृष्ण लाल ने इस अदालत में दिनांक 1-3-1989 को दरखास्त दी कि स्वर्गीय कृष्ण लाल सुपुत्र श्री राम सरन महाजन ने एक वसीयतनामा वहक श्रीमती कला देवी व श्री सतीश कुमार के नाम दिनांक 23-8-1988

को लिखवाया है कि अपनी पूर्ण चल व अचल सम्पत्ति उसके मरणोपरान्त प्रार्थियों के नाम की जावे जिसकी तारीख पेशी 23-6-1989 को इस अदालत में रखी है। यदि इस सम्बन्ध में किसी को किसी किस्म का कोई उजर व एतराज हो तो उपरोक्त तारीख को असालतन व वकालतन समय 10 बजे अदालत हजा में बराये पैरवी हाजिर आवेदन अन्यथा गैर-हाजरी में वसीयत पंजीकृत कर दी जायेगी। सूचिन रहे।

आज दिनांक 30-5-89 को हमारे हस्ताक्षर व मोहर द्वारा इस अदालत से जारी किया गया।

मोहर।

पी० सी० कटोच,
सब-रजिस्ट्रार मदर,
तहसील सदर, जिला मण्डी, हिमाचल प्रदेश।

ब अदालत श्री सोहन लाल, सब-रजिस्ट्रार सरकाधाट, जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा:

सुपलाल पुत्र खजाना, हेमराज पुत्र खजाना, बृजलाल पुत्र खजाना, निवासी लुकाण्, ई० सुरंग।

बनाम

आम जनता .फरीकदोम।

उपरोक्त प्रार्थियों ने प्रार्थनापत्र हमारे समझ वर्ग तसदीक व रजिस्टर किये जाने वसीयत जो कि मतक खजाना राम उत्र कपुरु निवासी लुकाण्, ई० सुरंग ने मिति 19-2-89 को तहरीर करवाई है। पेश किया। अतः आम जनता को इस इश्तहार के द्वारा मूल्यित किया जाता है कि यदि किसी व्यक्ति को उक्त वसीयत के तसदीक व रजिस्टर होने में कोई अपात्ति हो तो वह असालतन या वकालतन हमारे समझ स्थान सरकाधाट में हाजर होकर दिनांक 29-6-89 समय 10 बजे प्रातः पेश करें। अन्यथा कार्यवाही जाब्ता अमल में लाई जायेगी।

हस्ताक्षर हमारे व मोहर मिति 25-5-89 को अदालत से जारी हुआ।

मोहर।

मोहन लाल,
सब-रजिस्ट्रार सरकाधाट,
जिला मण्डी (हि० प्र०)।

ब अदालत श्री आर० एन० चौहान, उप-पंजीकाध्यक्ष, तहसील सुन्दरनगर जिला मण्डी (हिमाचल प्रदेश)

मुकदमा नम्बर 4/89 (रजिस्ट्रेशन वसीयतनामा)
श्रीमती मर्ति देवी पत्नी श्री केसर सिंह, निवासी घोड़ पीढ़, मुहाल बीणा, तहसील सुन्दर नगर, जिला मण्डी (हिमाचल प्रदेश) प्रार्थी।

बनाम

आम जनता .प्रीकदोम।

दरखास्त बनाम तसदीक व रजिस्टर किये जाने वसीयतनामा।

हर खास व आम को सूचित किया जाता है कि श्रीमती मर्ति देवी श्री केसर सिंह ने इस व्यापारिय में एक दरखास्त लगाया है जिसमें श्री कांसी राम पुत्र अर्जुन, जाति ब्राह्मण, गांव पटगाहण, मुहाल कामही, तहसील सुन्दरनगर ने एक वसीयतनामा वहक श्रीमती मर्ति देवी पत्नी केसर सिंह, निवासी घोड़ पीढ़ को नाम लिखाया है। जिसकी तारीख पेशी 26-6-89 को उस अदालत में रखी गई है। यदि इस सम्बन्ध में किसी को किसी किस्म का उजर व एतराज हो तो उपरोक्त दिनांक को असालतन व वकालतन समय 10 बजे अदालत हजा में बराये पैरवी हाजिर आवेदन अन्यथा गैर-हाजरी में वसीयत पंजीकृत कर दी जायेगी।

आज दिनांक 31-5-89 को हमारे हस्ताक्षर व मोहर द्वारा मेरे

मोहर।

आर० एन० चौहान,

उप-पंजीकाध्यक्ष,

तहसील सुन्दरनगर, जिला मण्डी।

ब अदालत श्री आर० एन० चौहान, उप-पंजिकाध्यक्ष, तहसील सुन्दरनगर
जिला मण्डी, हिमाचल प्रदेश

कार्यालय श्री पी० सो० धीमान उप-मण्डल दण्डाधिकारी, सुन्दरनगर,

जिला मण्डी, हिमाचल प्रदेश

मुकदमा नम्बर 3/ 1-12-88

श्री गोविन्द सिंह पुत्र श्री रघु राम, निवासी वनायक, तहसील
सुन्दरनगर, जिला मण्डी (हिमाचल प्रदेश) प्रार्थी।

करतार सिंह मुपुत्र श्री प्रधान सिंह, निवासी हाल क्वार्टर नम्बर
729/9-2/वी० एस० एल० कालोनी, सुन्दरनगर, जिला मण्डी प्रार्थी।

बनाम

आम जनता

फ्रीकदोयम।

बनाम

आम जनता

दरखास्त वराये तस्वीक व रजिस्टर किये जाने वसीयतनामा

हर खास व आम को सूचित किया जाता है कि श्री गोविन्द सिंह पुत्र
श्री रघु राम ने इस न्यायालय में एक दरखास्त गृहजारी है जिसमें
श्री अमर सिंह पुत्र लटुरिया, निवासी वनायक ने एक वसीयतनामा बहक
श्री गोविन्द सिंह पुत्र श्री रघु राम के नाम लिखाया है। जिसकी तारीख
पेशी दिनांक 28-6-89 को इस अदालत में रखी गई है। यदि इस सम्बन्ध
में किसी को किसी किस्म का उत्तर व एतराज हो तो उपरोक्त दिनांक
को असालतन या वकालतन समय 10 बजे अदालत हजार में वराह० परेवी
हाजिर आवेदन्यथा गैर हाजरी में वसीयत पंजीकृत कर दी जावेगी।

आज दिनांक 31-5-89 को हमारे हस्ताक्षर व मोहर द्वारा मेरे
कार्यालय से जारी किया गया।

मोहर।

आर० एन० चौहान,
उप-पंजिकाध्यक्ष, सुन्दरनगर,
जिला मण्डी।

अदालती इश्तहार

अण्डर आर्डर 5, रुल 20, सी० पी० सी०

ब अदालत श्री मुरेण कुमार गुप्ता, सब-जज, अदालत नं० III, मण्डी,
हिमाचल प्रदेश

दावा दिवाली नं० 80 ग्राफ 1988

1. बूँड़, 2. गंगा राम पुत्रान मसान्तू उर्फ सेतु पुत्र दयाल,
सकना वा०, ईलाका व तहसील चन्दोट, जिला मण्डी, हिमाचल प्रदेश
..वादी।

बनाम

श्रीमती दवारकू वर्ग रा

प्रतिवादीगण।

दावा इस्तकार हक

बनाम :

श्रीमती रत्नी पुत्री लाला उर्फ गुजू, वर्त्ती नित्या नन्द,
मकना हाउस नं० 169/8, भगवाहन मुहल्ला, मण्डी,
हिमाचल प्रदेश।

उपरोक्त मुकदमा उनवान वाला में इस अदालत को पूर्ण विश्वास हो
चुका है कि उपरोक्त प्रतिवादीनी श्रीमती रत्नी की तामील साधारणतः
होनी अमम्बव है। अतः उपरोक्त प्रतिवादीनी रत्नी के नाम इश्तहार
जेर आर्डर 5, रुल 20, सी० पी० सी० जारी करके सूचित किया जाता
है कि वह दिनांक 30-6-1989 बक्त 10 बजे हाउर अदालत आकर
मुकदमा को पैरवी असालतन व वकालतन करें। वसूल दीगर
कार्यवाही जाता एकत्रका अमल में लाई जावेगी।

आज दिनांक 26 मई, 1989 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुए।

मोहर।

मुरेण कुमार गुप्ता,
सब-जज, काटं नं० III,
मण्डी, हिमाचल प्रदेश।

इश्तहार जेर आर्डर 5, नियम 20, सी० पी० सी०

व अदालत श्री साधू राम वर्मा, सहायक समाहर्ता प्रथम श्रेणी एवं
तहसीलदार, भू-व्यवस्था, वृत वंगाणा, जिला ऊना

मिसल नम्बर
6/89

तारीख मरजुआ
3-3-89

व मुकदमा :

सुन्दर लाल सुपुत्र खजाना, वासीधन्दला, तप्पा कोटला, तहसील
वंगाणा, जिला ऊना (हि० प्र०) .. वादी।

बनाम

1. विशन दास, 2. अमर नाथ सुपुत्र खजाना, 3. चचित
सिंह, 4. मिलखी राम, 5. विहारी लाल, 6. कशमीर सिंह,
7. तिलक राज सुपुत्र कांशी राम, वासी टीका धन्दला, तप्पा
कोटला, तहसील वंगाणा, जिला ऊना (हि० प्र०) .. प्रतिवादीगण।

विषय: दावा तकसीम खाता नम्बर 135, खतोनी नम्बर 172,
रकदा किता 13, तादादी 31-16 स्थित महाल धन्दला,
मौजा कोटला, तहसील वंगाणा, जिला ऊना।

उपरोक्त मुकदमा में फरीक दोयम को कई बार इस न्यायालय
से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही
है। अतः न्यायालय को भी विश्वास हो चुका है कि उन पर
तामील समन साधारण तरीके से होनी कठिन है।

अतः उपरोक्त फरीक दोयम को वजरिया इश्तहार सूचित
किया जाता है कि वह असालतन या वकालतन दिनांक 30-6-89
को समय 10 बजे प्रातः हाउरे न्यायालय वंगाणा, जिला ऊना में
हाजिर होकर पैरवी मुकदमा करें। ग्रन्थथा कार्यवाही जाता
अमल में लाई जावेगी।

यह इस्तहार आज दिनांक 31-5-89 को मेरे हस्ताक्षर व
मोहर अदालत से जारी हुआ।

श्री साधू राम वर्मा,
सहायक समाहर्ता प्रथम श्रेणी,
एवं तहसीलदार, भू-व्यवस्था,
वृत वंगाणा, जिला ऊना।

इस्तहार जेर आई 5, नियम 20, सी० पी० सी०

अदालत श्री साधू राम वर्मा, सहायक समाहर्ता प्रथम श्रेणी
एवं तहसीलदार, भू-व्यवस्था, वृत वंगाणा, जिला ऊना

मिसल नम्बर व मुकदमा 7/89 तारीख मरजुआ 3-3-89

श्री मुन्द्र लाल सुपुत्र श्री खजाना, वासी ग्राम धुन्दला, तप्पा कोटला,
तहसील वंगाणा, जिला ऊना (हि० प्र०)

वकालत

1. विश्व दास, 2. अमर नाथ सुपुत्र खजाना, वासी ग्राम
धुन्दला, तप्पा कोटला, तहसील वंगाणा, जिला ऊना प्रतिवादी गण।

विवरण : दावा तकसीम भूमि खाता नम्बर 136, खतीनी नम्बर
173, किता 2, रकवा तादादी 2-4 कनाल स्थित
महाल धुन्दला, तप्पा कोटला, तहसील वंगाणा।

उपरोक्त मुकदमा में फरीक दोषम को कई बार इस व्यायालय
से समन जारी हुए लेकिन उन पर तामील समन नहीं हो रही
है। अतः व्यायालय को भी विश्वास हो चुका है कि उन पर¹
तामील समन साधारण तरीके से होनी कठिन है।

अतः उपरोक्त फरीक दोषम को बजरिया इस्तहार सूचित किया
जाता है कि वह असालतन या वकालतन दिनांक 30-6-1989 को
समय 10 बजे प्रातः हमारे व्यायालय वंगाणा, जिला ऊना में
हाजिर होकर परवी मुकदमा करें। अन्यथा कार्यवाही जावा अमल
में लाई जावेगी।

हस्ताक्षर हमारे व मोहर अदालत से आज दिनांक 31-5-1989
को जारी हुआ।

मोहर।

साधू राम वर्मा,
सहायक समाहर्ता प्रथम श्रेणी,
एवं तहसीलदार भू-व्यवस्था,
वृत वंगाणा, जिला ऊना।

व अदालत श्री के० डी० वर्मा, सहायक समाहर्ता द्वितीय श्रेणी
जोगिन्द्रनगर

मुकदमा :

चरण दास सुपुत्र फीन्डू, निवासी बुदर

फ्रीकम्प्लेन।

वकालत

1. हरिया पुत्र, तरड़, 2. श्रीमती शकुन्तला सुपुत्री तरड़,
 3. विजय कुमार, 4. साहून पुत्र निहाल चन्द, 5. निमो देवी
 - सुपुत्री निहाल चन्द नावलिंग द्वारा श्रीमती जानकी देवी माता,
 6. जानकी देवी पत्नी निहाल चन्द, 7. प्रभदयाल सुपुत्र गोपी,
 8. कमल कुमार सुपुत्र गोपी, 9. महेन्द्र सिंह सुपुत्र गोपी 10 थान्यू
 - सुपुत्र छुकु, 11. जोहन्डा सुपुत्र शेरू, 12. चमाल सुपुत्र
 - शेरू, 13. चन्द राम सुपुत्र किशन, 14. श्रीमती लज्जा देवी
 - सुपुत्री किशन, वासी बुदर, तहसील जोगिन्द्र नगर फ्रीकम्प्लेन।
- उन्वान मुकदमा : प्रथना-पत्र तकसीम भूमि 1/3 भाग किता
14, रकवा तादादी 4-13-6 बीघा, खाता खतीनी नं० 37/46
ता० 48 मुहाल कोशला/331 व अराजी खाता नं० 36/83 ता० 88.
मुहाल बुदर, किता 101 रकवा तादादी 43-17-9 बीघा
तकसीम तलब।

उपरोक्त मुकदमा बाला में फ्रीकम्प्लेन नं० 8 (ग्राठ) कमल
कुमार सुपुत्र गोपी को कई बार समन किए गए तथा अन्य को
भी। परन्तु फ्रीकम्प्लेन की तामील साधारण तरीका से होना नहीं
पाइ जा रही है न ही सही पता फरीक दोषम प्राप्त हो रहा
है। इसलिए उपरोक्त फ्रीकम्प्लेन को (हादो मुकदमा जात
तकसीम) इस्तहार अराजपत्र द्वारा सूचित किया जाता है कि वह
असालतन व वकालतन हमारे व्यायालय दिनांक 29-6-89 को प्रातः 10
बजे हाजिर आकर पैरवी मुकदमा करें। अन्यथा नियमानुसार
कार्यवाही अमल में लाई जावेगी।

आज मिति 31-5-89 को हमारेहर ताक्षर व मोहर अदालत से
जारी हुआ।

मोहर।

के० डी० वर्मा,
सहायक समाहर्ता द्वितीय श्रेणी,
जोगिन्द्र नगर।

भाग 6—भारतीय राजपत्र इस्त्रावि में से पुनः प्रकाशन

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य
निर्वाचन सम्बन्धी अधिसूचनाएं

शब्द

शब्दावली

(देखिए पृष्ठ 750 से 753 तक)

DAILY RAINFALL RECORDED IN HIMACHAL

PRADESH FOR THE MONTH OF JANUARY, 1986

(Rainfall) in Millimetre

DAILY RAINFALL RECORDED IN HIMACHAL

PRADESH FOR THE MONTH OF JANUARY, 1986

(In Milimetres)

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal number of rainy days	Total rainfall for the month	Normal rainfall for the month	Highest rainfall during the month	Total rainfall from 1-12-85 to 31-12-85
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
N	N	N	N	O	O	O	V	V	V	V	V	—	—	27.0	82.7	27.0	27.0
N	N	N	N	N	N	N	A	A	A	A	A	—	—	7.6	117.6	1.0	1.0
N	N	N	N	N	N	N	L	L	L	L	L	—	—	5.1	102.9	1.3	1.3
N	N	N	N	N	N	N	B	B	B	B	B	—	—	5.9	96.8	9.0	9.0
N	N	N	N	N	N	N	B	B	B	B	B	—	—	7.1	107.5	2.0	2.0
N	N	N	N	N	N	N	E	E	E	E	E	—	—	6.2	89.6	1.2	1.2
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	6.1	93.0	N. A.	N. A.
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	5.9	80.7	N. A.	N. A.
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	5.8	88.3	N. A.	N. A.
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	6.0	61.7	N. A.	N. A.
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	2.7	38.3	N. A.	N. A.
N	N	N	N	N	N	N	N	N	N	N	N	N.A.	N.A.	6.2	82.0	N. A.	N. A.
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Distr. Total												2		41.5			41.5
Distr. Average												3.3	5.9	6.9	86.3	—	6.9
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.2		2.2	
—	—	—	—	—	—	—	—	—	—	—	—	—	—	3.4		3.4	
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Distr. Total												1		—	—	—	5.6
Distr. Average												6.2	5.6	1.1	—	—	1.1
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
B	T	A	V	A	I	L	A	B	L	E	N. A.	—	4.8	88.9	N. A.	N. A.	—
N	N	N	N	N	N	N	N	N	N	N	N. A.	4.5	73.9	—	N. A.	N. A.	—
N	N	N	N	N	N	N	N	N	N	N	N. A.	4.7	101.9	N. A.	N. A.	N. A.	—
N	N	N	N	N	N	N	N	N	N	N	N. A.	5.5	100.2	N. A.	N. A.	N. A.	—
N	N	N	N	N	N	N	N	N	N	N	N. A.	4.7	72.7	N. A.	N. A.	N. A.	—
N	N	N	N	N	N	N	N	N	N	N	N. A.	—	—	—	—	—	—
Distr. Total												—	—	—	87.5	—	—
Distr. Average												—	4.8	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	2.6	—	—	29.5	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Distr. Total												—	—	—	—	—	—
Distr. Average												—	2.6	—	—	29.5	—

H. S. ATWAL,
Director of Land Records,
Himachal Pradesh.

मियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-५ द्वारा मुद्रित तथा प्रकाशित।